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Vol. III

TRANSCRIPT OF RECORD

(Pages 773 to 1414)

Supreme Court of the United States

OCTOBER TERM, 1944

No. 57

THE ASSOCIATED PRESS, PAUL BELLAMY, GEORGE FRANCIS BOOTH, ET AL., APPELLANTS,

vs.

THE UNITED STATES OF AMERICA

No. 58

TRIBUNE COMPANY AND ROBERT RUTHERFORD McCORMICK, APPELLANTS,

vs.

THE UNITED STATES OF AMERICA

No. 59

THE UNITED STATES OF AMERICA, APPELLANT,

vs.

THE ASSOCIATED PRESS, PAUL BELLAMY, GEORGE FRANCIS BOOTH, ET AL.

APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

FILED APRIL 13, 1944.

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APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

VOL. III

INDEX.

Record from D.C.U.S. Southern District of New York—Continued

	Original	Print
Answers of defendants, The Bulletin Company and Robert McLean to plaintiff's interrogatories	992	773
Plaintiff's exhibits:		
Exhibit 1—Trustees' Report with respect to Associated Press Franchise or Membership of the Debtor, in the Matter of Public Ledger, Inc.	1005	781

JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., JULY 12, 1944.

—2891

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Answers of defendants, The Bulletin Company and Robert McLean to plaintiff's interrogatories—Continued		
Plaintiff's exhibits—Continued		
Exhibit 1A—Letter, January 27, 1942, Mercer B. Tate, Jr. to Kent Cooper, Relative to the Appointment of Trustees of Public Ledger, Inc.	1009	783
Exhibit 1B—Letter, January 29, 1942, Kent Cooper to Mercer B. Tate, Jr., Relative Transfer of Associated Press Membership of Public Ledger, Inc.	1010	785
Exhibit 1C—Letter, February 2, 1942, Mercer B. Tate, Jr. to Kent Cooper, with respect to the transfer of the AP franchise or membership of Public Ledger, Inc.	1011	785
Exhibit 1D—Letter, February 4, 1942, Richardson Dilworth to Mercer B. Tate, Jr., relative to offer of $10,000 made by The Philadelphia Inquirer for the name and good will of The Evening Public Ledger	1014	787
Exhibit 2—Letter, February 6, 1942, Kent Cooper to Mercer B. Tate, Jr., replying to letter of February 5, 1942	1014	788
Defendants' exhibits:		
Exhibit "A"—Letter, February 12, 1942, Richard W. Slocum to the Trustees of Public Ledger, Inc., offering to purchase the name and good will of Evening Public Ledger and the AP membership of same	1016	788
Exhibit "B"—Decree of the District Court of the United States for the Eastern District of Pennsylvania confirming sale by the Trustees in the Matter of Public Ledger, Inc.	1017	789
Exhibit B1—Agreement, dated February 20, 1942, between Trustees of Public Ledger, Inc. and Bulletin Company Transferring Ownership of The Evening Public Ledger and its membership in AP to Bulletin Company	1019	791
Exhibit B2—Agreement, February 20, 1942, between Trustees of Public Ledger, Inc. and Bulletin Company transferring ownership of AP Bond No. 598	1020	792
Exhibit B3—Agreement, February 20, 1942, between Trustees of Public Ledger, Inc. and Bulletin Company to assume assessments made by The Associated Press against Public Ledger, Inc. subsequent to that date	1021	792
Exhibit "C"—Schedule of Average Daily Circulation of The Evening Bulletin for each month for the years 1941 and 1942	1022	793

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Stipulation dated Feb. 27, 1943, as to certain facts relating to Wide World Photos, Inc., and The Associated Press (of Illinois)	1023	794
Exhibit "A"—By-Laws of The Associated Press (of Illinois) in effect immediately prior to September 30, 1900. (Copy) (omitted in printing)	1029	
Exhibit "B"—Report to stockholders of The Associated Press (of Illinois) (May 16, 1900). (Copy) (omitted in printing)	1050	
Exhibit "C"—Resolution adopted by the stockholders of the Associated Press (of Illinois) at their meeting in Chicago, Illinois, September 12-13, 1900. (Copy) (omitted in printing)	1054	
Exhibit "D"—List of customers served by Wide World Photos, Inc., as of July 23, 1941	1055	797
Interrogatories on behalf of defendant, The Associated Press, and answers thereto of the plaintiff	1060	801
Exhibits to Interrogatories:		
Exhibit 1—Letter dated October 24, 1941 written by Marshall Field to Kent Cooper, Vice-President and General Manager of The Associated Press. (Copy) (omitted in printing)	1069	
Exhibit 2—Letter dated October 23, 1941 written by Louis S. Weiss to Silliman Evans. (Copy) (omitted in printing)	1072	
Exhibits to Answers of Plaintiff:		
Exhibit 1—Letter dated February 5, 1942 written by Marshall Field to Hon. Francis Biddle, Attorney General of the United States	1086	816
Exhibit 2A—Letter dated April 5, 1943 written by Tom C. Clark, Assistant Attorney General, to Louis S. Weiss	1103	830
Exhibit 2B—Interrogatories relating to the business of Mr. Marshall Field, The Chicago Sun, and The Chicago Sun Syndicate, Inc., served upon the Government by the Associated Press on April 3, 1943	1104	830
Exhibit 3-A—Letter dated April 14, 1943 written by Louis S. Weiss to Hon. Tom C. Clark	1108	834
Exhibit 3-B—Memorandum relating to the business of Mr. Marshall Field, The Chicago Sun and The Chicago Sun Syndicate, Inc., in respect of Interrogatories served upon the Government by The Associated Press on April 3, 1943 (contains contracts, schedules, exhibits, etc.)	1109	835
Exhibit 4-A—Letter, April 5, 1943, Tom C. Clark, Assistant Attorney General, to Mrs. Elinor Medill Patterson. (Omitted except for title.)	1171	884
Exhibit 4-B—Enclosure to Exhibit 4-A (omitted)	1171	

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Interrogatories on behalf of defendant, The Associated Press, and answers thereto of the plaintiff—Continued		
Exhibits to Answers of Plaintiff—Continued		
Exhibit 5—Contract, February 28, 1939, Elinor M. Patterson—King Features Syndicate, Inc., International News Service Department	1171	885
Exhibit 6—List containing names of 26 F.B.I. employees who interviewed 66 AP newspaper members and date of interviews, of which 41 were representatives of Illinois newspapers. (Omitted except for title.)	1173	886
Exhibit 7—List of Reports, with dates and names, of F.B.I. agents and bureau file numbers. (Omitted except for title.)	1173	886
Requests by defendant, The Associated Press, for admissions by plaintiff, and plaintiff's responses	1174	886
Defendant's exhibits:		
Exhibit "A"—Letter dated March 12, 1915 from T. W. Gregory, Attorney General, Department of Justice, to James M. Beck, Esq.	1186	895
Exhibit "B"—Final Decree dated May 19, 1919, *AP* v. *INS*	1192	900
Exhibit "C"—Letter dated November 15, 1941, from Marshall Field to Mr. J. D. Gortatowsky, Hearst Newspapers	1197	904
Exhibit "D"—Advertisement published in The Chicago Sun, Monday, January 25, 1943	1200	906
Exhibit "E"—Statement entitled "Let's Look at the Record" issued by Promotion and Research Department of The Chicago Sun on or about October 25, 1942	1201	907
Exhibit "F"—Advertisement published by The Chicago Sun in September, 1942	1206	911
Exhibit "G"—Advertisement published by The Chicago Sun in Editor & Publisher Magazine for November 21, 1942	1206-A	912
Exhibit "H"—Page 8 of a brochure issued by The Chicago Sun, entitled "Sun Rise"	1207	913
Exhibit "I"—Page 12 of a brochure issued by The Chicago Sun, entitled "Sun Rise"	1208	914
Exhibit "J"—Page 13 of a brochure issued by The Chicago Sun, entitled "Sun Rise"	1209	915
Exhibit "K"—Pages 24–28 of a brochure issued by The Chicago Sun, entitled "Sun Rise"	1210	916
Exhibit "L"—Advertisement appearing in Editor & Publisher Magazine on April 24, 1943	1218	924

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Requests by defendant, The Associated Press, for admissions by plaintiff, and plaintiff's responses—Continued		
Plaintiff's exhibits:		
"Exhibit "A"—Advertisement appearing in The Chicago Sun January 17, 1943	1237	938
Exhibit "B"—Advertisement appearing in The Chicago Sun January 20, 1943	1238	938
Exhibit "C"—Copy of Statements Contained in the Anniversary Booklet Prepared by The Chicago Sun—"Sun Rise"—Chicago, December 4, 1941-1942	1239	939
Plaintiff's motion for summary judgment	1260	955
Affidavits in support of plaintiff's motion for summary judgment	1289	974
Harry B. Baker	1290	974
Brodie D. Barnett	1293	977
Thomas J. Barry	1294	978
Warren Brown	1298	982
Thomas A. Daffron, Jr.	1328	1009
Marshall Field	1330	1011
Ernest von Hartz	1341	1020
Guy Raynor Hill	1344	1023
Alfred McClung Lee	1365	1046
Alfred McClung Lee	1382	1066
Alfred McClung Lee	1386	1070
John Henry Lewin	1459	1166
Virginia M. Marino	1468	1175
N. S. Macneish	1473	1179
Sid Mautner	1484	1190
J. A. McNeil	1500	1205
Thomas M. McNicholas	1503	1209
Herbert S. Moore	1507	1213
B. E. Moore	1518	1224
John J. Padulo	1520	1225
Harold L. Schilz	1525	1229
Harold L. Schilz	1545	1248
Otto M. Smucker	1548	1251
Manfred K. Toeppen	1551	1254
Edwin Moss Williams	1554	1257
Edwin Moss Williams	1556	1260
Exhibits to affidavits in support of plaintiff's motion for summary judgment:		
Exhibit 1 to Affidavit of Thomas J. Barry—Letter dated November 18, 1941 from Fred J. Baldwin, State Editor, The Quincy Herald-Whig to Thomas J. Barry, Regional Editor, The New Chicago Morning Newspaper	1296	980

Record from D.C.U.S. Southern District of New York—Continued
Exhibits to affidavits in support of plaintiff's motion for summary judgment—Continued Original Print
Exhibits to Affidavit of Marshall Field—
Exhibit 1—Letter dated September 24, 1941 from Marshall Field to Robert McLean. (Omitted.) 1336
Exhibit 2—Formal application for membership in AP, designating Silliman Evans as representative, signed by Marshall Field, September 26, 1941. (Omitted.) 1336
Exhibit 3—Letter dated October 2, 1941 from Lloyd Stratton, Assistant Secretary of AP, to Silliman Evans. (Omitted.) 1336
Exhibit 4—Letter dated October 24, 1941, from Marshall Field to Kent Cooper. (Omitted.) 1336
Exhibit 5—Letter dated November 15, 1941 from Marshall Field to J. D. Gortatowsky, Hearst Newspapers (copy) (omitted in printing) 1336
Exhibit 6—Letter dated November 15, 1941 from Marshall Field to Robert McLean 1337 1017
Exhibit 7—Letter (undated) from J. C. Gortatowsky to Marshall Field 1338 1017
Exhibit 8—Letter dated December 3, 1941 from Marshall Field to Robert McLean 1338 1017
Exhibit 9—Letter dated December 6, 1941 from Robert McLean to Marshall Field 1339 1018
Exhibit 10—Letter dated January 28, 1942 from Robert McLean to Silliman Evans. (Omitted.) 1339
Exhibit 11—Form letter sent by Marshall Field and his associates to members of AP soliciting proxies. (Omitted.) 1340
Exhibit 12—Letter dated March 7, 1942 from Marshall Field to Lloyd Stratton 1340
Exhibit 13—Application by Marshall Field to AP for Wide World service for The Chicago Sun. (Omitted.) 1340
Exhibit 14—Letter dated December 11, 1941 from Robert McLean to Marshall Field 1341 1020
Exhibits to Affidavit of Guy Raynor Hill—
Exhibit A—Comparative Statement, as of August 1942, of the Number of Full Time Editorial Employees at the Various Domestic Bureaus (AP, UP and INS) 1351 1030
Exhibit B1—AP and UP Domestic Bureaus—Statement as of August 1942, of the normal range of hours during which one or more editorial employees were on duty 1354 1034
Exhibit B2—AP and UP Domestic Bureaus—Statement as of August 1942, of number of bureaus normally having one or more editorial employees on duty at any time between the

Record from D.C.U.S. Southern District of New York—Continued

	Original	Print
Exhibits to affidavits in support of plaintiff's motion for summary judgment—Continued		
hours of 7:00 P.M. and 6:00 A.M. arranged according to a schedule of closing hours after which no editorial employee was normally on duty	1356	1038
Exhibit C-1—Map showing location of all morning daily English language newspapers, published in continental United States, which were regular members of AP as of March 1942. (Omitted)	1357	1039
Exhibit C-2—Map showing location of all morning and daily English language newspapers, published in continental United States, which, as of March 1942, were not regular members of AP and were obligated by contract with UP, as of August 1942, to furnish their local news to UP. (Omitted)	1358	
Exhibit C-3—Distribution of Morning Daily English Language Newspapers by States (a) Regular Members of AP, and (b) not Regular Members of AP and Obligated to Furnish Their Local News to UP	1358	1040
Exhibit C-4—Distribution of Evening Daily English Language Newspapers by States (a) Regular Members of AP, (b) Not Regular Members of AP and Obligated to Furnish Their Local News to UP, and (c) Not Regular Members of AP and Obligated to Furnish Their Local News to INS	1361	1043
Exhibits to Affidavit of Alfred McClung Lee (May 10, 1943)—		
Exhibit 1—Average circulation of U. S. daily and Sunday newspapers: 1921–1939	1369	1051
Exhibit 2—Total circulation of U. S. daily and Sunday newspapers: 1920–1942	1370	1551
Exhibit 3—Urban and nonurban circulation of U. S. daily and Sunday newspapers: 1920–1940	1370	1052
Exhibit 4—Number of U. S. daily and Sunday newspapers: 1919–1942	1371	1052
Exhibit 5—Daily newspapers in existence at decade years: 1899–1939	1371	1053
Exhibit 6—Circulation of AP and non-AP dailies in fifty cities: 1941	1373	1054
Exhibit 7—Number of daily newspapers in the 25 largest cities: 19200–1942. Number of ownerships and circulation: 1900–1942	1374	1056
Exhibit 8—Cities with one daily newspaper, with all dailies under common control, and with competing dailies: 1920–1942	1381	1066

Record from D.C.U.S. Southern District of New York—Continued
Exhibits to affidavits in support of plaintiff's motion for summary judgment—Continued

	Original	Print
Exhibits to Affidavit of Alfred McClung Lee (May 22, 1943)—		
Exhibit 1—Daily morning newspapers published in the United States which were members of the Associated Press on March 1, 1942, with their 1941 circulations	1392	1076
Exhibit 2—Daily evening newspapers published in the United States which were members of the Associated Press on March 1, 1942, with their 1941 circulations	1400	1087
Exhibit 3—Semiweekly, Weekly, and Triweekly Newspapers published in the United States which were members of The Associated Press on March 1, 1942	1421	1115
Exhibit 4—Daily morning English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were AP members on March 1, 1942	1421	1117
Exhibit 5—Daily morning English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were not AP members on March 1, 1942	1426	1121
Exhibit 6—Daily evening English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were AP members on March 1, 1942	1428	1125
Exhibit 7—Daily evening English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were not AP members on March 1, 1942	1434	1133
Exhibit 8—Daily morning English-language newspapers published in the United States which were receiving INS serivce on August 1, 1942, and which were AP members on March 1, 1942	1444	1146
Exhibit 9—Daily morning English-language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were not AP members on March 1, 1942	1446	1149
Exhibit 10—Daily evening English-language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were AP members on March 1, 1942	1446	1149
Exhibit 11—Daily evening English-language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were not AP members on March 1, 1942	1450	1154
Exhibit 12—Daily newspapers published in the United States not receiving news service of AP,		

Record from D.C.U.S. Southern District of New York—Continued
Exhibits to affidavits in support of plaintiff's motion for summary judgment—Continued

	Original	Print
UP, or INS, as listed in AP's answer to interrogatory No. 18, with their 1941 circulations	1452	1157
Exhibit 13—List of all daily morning English-language newspapers published in United States which had a 1941 average daily circulation of over 25,000, showing whether or not papers were or were not AP members on March 1, 1942	1454	1160
Exhibit 14—(Three lists) Instances in which only one daily newspaper is published in a city and such newspaper is an AP member and has an asset value contract with both UP and INS; Instances in which only daily newspapers published in a city are under common control and such newspapers are AP members and have asset value contracts with both UP and INS; Instances in which only morning newspaper, or only evening newspaper, published in a city is an AP member and has an asset value or an exclusive contract with both UP and INS	1458	1164
Exhibits to Affidavit of John Henry Lewin—		
Exhibit "A"—Letter dated March 26, 1943 from John Henry Lewin, Special Assistant to Attorney General, to Timothy N. Pfeiffer	1460	1167
Exhibit "B"—List of String Men	1461	1168
Exhibit "C"—Letter dated May 15, 1943 from Timothy N. Pfeiffer to John Henry Lewin	1462	2168
Exhibit "D"—Answers of AP to plaintiff's interrogatories Nos. 45 and 46. (Enclosed with Ex. C above.)	1462	1169
Exhibits to Affidavit of Virginia M. Marino—		
Exhibit "A"—Daily comparison sheet (showing "beats" obtained by one press news agency over another). (Omitted)	1473	
Exhibit "B"—Record of daily maximum and minimum range of time of "beats" secured by AP over UP, and vice versa—as to foreign news reports. (Omitted)	1473	
Exhibit "C"—Record of daily maximum and minimum range of time of "beats" secured by AP over UP, and vice versa—as to domestic news reports. (Omitted)	1473	
Exhibits to Affidavit of N. S. MacNeish—		
Exhibit "A"—Agreement dated July 16, 1931 between Consolidated Newspaper Corporation and News Syndicate Co., Inc.	1474	1181
Exhibit "B"—Agreement made February 7, 1933 between New York World-Telegram Corporation (formerly Consolidated Newspaper Corporation) and News Syndicate Co., Inc.	1480	1186

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Exhibits to affidavits in support of plaintiff's motion for summary judgment—Continued		
Exhibit to Affidavit of J. A. McNeil—		
Exhibit "A"—Daily newspapers represented by members of the Canadian Press as at September 15, 1942, with their respective circulations taken from Editor and Publisher 1943 International Year Book, except as otherwise indicated	1501	1206
Exhibits to Affidavit of Thomas M. McNicholas—		
Exhibit 1—Letter dated March 25, 1942 from Illinois Publishing and Printing Company to Silliman Evans	1504	1210
Exhibit 2—Proxy authorizing vote against election of Marshall Field as a member of The Associated Press (enclosed with Exhibit 1 above)	1506	1212
Exhibits to Affidavit of John J. Padulo—		
Exhibit "A"—Description and summary of entries on accounting records of The Chicago Sun—News Services, etc., for Year 1942	1521	1226
Exhibit "B"—Sums paid by The Chicago Sun to the United Press Associations for services for fifty-two weeks ending December 26, 1942	1523	1228
Exhibits to Affidavit of Harold L. Schilz (May 24, 1943)—		
Exhibit 1—Statements made by Kent Cooper at meeting of AP Board of Directors held April 14, 1942	1539	1243
Exhibit 2—Portions of a statement read by Charles B. McCabe, AP representative of New York Daily Mirror, at meeting of AP Board of Directors held April 14, 1942	1541	1244
Exhibit 3—Statements made by Kent Cooper at meeting of AP Board of Directors held April 15, 1942	1541	1245
Exhibit 4—Statements relating to proposed amendment to Article III of AP By-laws made by E. K. Gaylord, an AP director, at meeting of April 20, 1942	1542	1246
Exhibit 5—Statements relating to contract relationships between AP and certain foreign news agencies, made by Melville E. Stone, Secretary of AP, at AP Board of Directors meeting of April 16, 1920	1543	1247
Exhibit 6—Statements made by publisher of Toledo (Ohio) News-Bee at meeting of AP Board of Directors on March 10, 1909	1544	1248
Exhibits to Affidavit of Manfred K. Toeppen—		
Exhibits "A" & "B"—Figures used to determine information in body of affidavit concerning "air-mile hours" of AP and UP services. (omitted)	1554	

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Exhibits to affidavits in support of plaintiff's motion for summary judgment—Continued		
Exhibits to Affidavit of Manfred K. Toeppen—Continued		
Exhibit "C"—List of cities excluded in AP computation. (Omitted)	1554	
Exhibits to Affidavit of Edwin Moss Williams (May 12, 1943)—		
Exhibit "A"—List of UP and British United Press Canadian subscribers. (Omitted)	1563	
Exhibit "B"—List of daily evening newspapers published in English language in the United States which subscribed to UP's service on August 1, 1942. (Omitted)	1563	
Exhibit "C"—List of daily morning newspapers published in English language in the United States which subscribed to UP's service on August 1, 1942. (Omitted)	1563	
Exhibit "D"—List of evening English language newspapers and morning English language newspapers published in the United States, receiving UP news service, obligated to furnish local news to UP	1563	1266
Exhibit "E"—Location of all UP news bureaus in the United States and respective districts covered	1580	1281
Exhibit "F"—United Press domestic news staff as of August 31, 1942	1582	1283
Exhibit "G"—List of UP string men in each state, with total amount of compensation paid, during year 1942	1583	1284
Exhibit "H"—Form of UP Asset Value Agreement	1584	1285
Exhibit "I"—List of U. S. Newspapers having Asset Value Contracts with UP	1591	1291
Exhibit "J"—List of 25 subscribers receiving services from UP under Asset Value contracts, and amounts payable thereunder, as of August 1, 1942	1598	1298
Exhibit "K"—List of all UP bureaus and UP subscribers located in the United States which sent or received news on wires leased by UP, as of December 31, 1942. (Omitted)	1598	
Affidavits filed in behalf of defendants, Tribune Company and Robert Rutherford McCormick, in opposition to motion for summary judgment	1599	1299
W. L. Ayers	1680	1361
W. J. Byrnes	1697	1373
Einar C. Christensen	1689	1368
Thomas Furlong	1675	1357
Roy C. Holliss	1695	1373
N. S. Macneish	1693	1371

	Original	Print
Record from D.C.U.S. Southern District of New York—Continued		
Affidavits filed in behalf of defendants, Tribune Company and Robert Rutherford McCormick, in opposition to motion for summary judgment—Continued		
William Donald Maxwell	1633	1322
Robert Rutherford McCormick (First Affidavit)	1602	1299
Robert Rutherford McCormick (Second Affidavit)	1615	1309
S. Emory Thomason	1624	1315
Arch Ward	1659	1344
Robert Vanderpoel	1686	1366
Exhibits to Affidavits Filed in Behalf of Defendants, Tribune Company and Robert Rutherford McCormick, in opposition to Motion for Summary Judgment:		
Exhibit 1 to Second Affidavit of Robert Rutherford McCormick — Chart portraying History of Chicago Newspapers	1622	1314
Exhibit 2 to Second Affidavit of Robert Rutherford McCormick—Available Record of Chicago Daily Newspaper's Circulations	1623	1314
Exhibit 1 to Affidavit of William Donald Maxwell—Statements appearing in the Chicago Sun Regarding Foreign News Coverage	1640	1328
Exhibit 2 to Affidavit of William Donald Maxwell—Statements Appearing in the Chicago Sun Regarding Domestic News Coverage	1656	1341
Exhibit "A" to Affidavit of Arch Ward—Stories Appearing in Chicago Tribune (Final Edition) Referred to in affidavit of Warren Brown, dated May 7, 1943	1662	1346
Exhibit "B" to Affidavit of Arch Ward—Statements Appearing in the Chicago Sun Regarding Sports News Coverage	1667	1350
Exhibits to Affidavit of W. J. Byrnes:		
Chicago Tribune Business Survey, Exhibit "A"—Circulation of Midwest Daily Newspapers	1721	1396
Chicago Tribune Business Survey, Exhibit "B"—Map—(Omitted)	1700	
Chicago Tribune Business Survey, Exhibit "C"—News and Editorial Content Published by Chicago Tribune and the Chicago Sun by Kind and Source	1701	1376
Chicago Tribune Business Survey, Exhibit "D"—Compilation of Certain Newspapers, Their Respective Circulations and Advertising Linages	1711	1386

[fol. 993] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

INTERROGATORIES OF PLAINTIFF SERVED UPON THE BULLETIN COMPANY AND ROBERT MCLEAN, DEFENDANTS, AND ANSWERS THERETO

Interrogatory 1: State whether, or to what extent, the facts set forth below are true:

Prior to January 5, 1942, the United States District Court for the Eastern District of Pennsylvania had appointed trustees in proceedings for the reorganizations, under Chapter 10 of the Bankruptcy Act, of Public Ledger, Inc., a corporation which published in Philadelphia an evening newspaper under the name "Evening Public Ledger" and which held an evening membership in The Associated Press. Said trustees discontinued publication of the Evening Public Ledger as of midnight January 5, 1942. On January 6, 1942, the Philadelphia Inquirer Company, a corporation which published a morning newspaper in Philadelphia under the name of the Philadelphia Inquirer and then held a regular membership in The Associated Press on account [fol. 994] of such morning newspaper, made the following offer to said trustees:

> On behalf of the Philadelphia Inquirer Company we offer to purchase from Public Ledger, Inc. for the sum of $10,000, the Associated Press Franchise, and pending the confirmation of the sale of this Franchise we will assume and pay the weekly assessment to the Associated Press commencing today, without liability on the part of the debtor estate.
>
> We have notified the Associated Press that we are making this offer and assuming the payment of the assessment. The offer is made subject to the approval of the Associated Press of the transfer of the Franchise to us.

The AP weekly assessment against Public Ledger, Inc., for the AP service furnished it was $1,305.70. This assessment was paid by the Philadelphia Inquirer Company for the week beginning January 5, 1942, and for the four following weeks. During said five-week period the Philadel-

phia Inquirer Company published daily a short evening newspaper carrying AP news and bearing the name Evening Public Ledger and distributed to newsstands about 200 copies of this newspaper. The Associated Press was currently informed, both verbally and in writing, that the Philadelphia Inquirer Company was paying the said AP weekly assessments and was publishing and distributing such "token" newspaper. The Associated Press accepted payment of said weekly assessments by the Philadelphia Inquirer Company.

Answer: Substantially true, but the following inaccuracies as to facts require the following comment:

[fol. 995] The Trustees of Public Ledger, Inc., discontinued the publication of the Evening Public Ledger as of midnight January 5, 1942, in the form in which previously it had been published by them, but its publication in a reduced form was continued for the Trustees by The Philadelphia Inquirer Company until such form of publication was assumed by Bulletin Company. The statement in the latter part of paragraph 1 respecting the publication by The Philadelphia Inquirer Company, should carry the correction that such publication was on behalf of the Trustees of Public Ledger, Inc.

Interrogatory 2: State whether Plaintiff's Exhibit No. 1, attached hereto and made a part hereof, is a correct copy of a report dated February 9, 1942, made to the United States District Court for the Eastern District of Pennsylvania by the trustees of Public Ledger, Inc.

Answer: The answer is "Yes."

Interrogatory 3: State whether, or to what extent, the facts stated in Plaintiff's Exhibit No. 1 are true.

Answer: The answer to paragraph 3 is that the facts stated in Plaintiff's Exhibit No. 1 are true so far as these answering Defendants are advised, but the conclusions and opinions are the conclusions and opinions of those shown by the report to have expressed them and may or may not be correct.

Interrogatory 4: State whether Plaintiff's Exhibit No. 2, attached hereto and made a part hereof, is a correct copy of a letter dated February 6, 1942, written by Kent Cooper to Mercer B. Tate, Jr., attorney for the trustees of Public Ledger, Inc.

[fol. 996] *Answer:* The answer is "Yes."

Interrogatory 5: State (a) the terms and date of any offer made to the trustees of Public Ledger, Inc., by Bulletin Company to purchase name and goodwill of Evening Public Ledger and the Associated Press membership of Public Ledger, Inc., (b) whether such offer was accepted and confirmed by the district court and the date or dates thereof, and (c) whether Bulletin Company acquired as a result of such offer AP bonds in the face amount of $1,000 formerly held by Public Ledger, Inc.

Answer: (a) A copy of the offer made by Bulletin Company to the Trustees of Public Ledger, Inc., to purchase the name and goodwill of Evening Public Ledger and The Associated Press membership of Public Ledger, Inc., is attached hereto as Defendants' Exhibit A.

(b) The United States District Court for the Eastern District of Pennsylvania entered a Decree confirming the sale by the Trustees of the items covered by the offer, referred to in (a), on the day of its date, and in the terms set forth in the copy thereof attached hereto as Defendants' Exhibit B. Pursuant to the said Decree the Trustees and Bulletin Company entered into the Agreements which are attached hereto as Defendants' Exhibit B (1), B (2), and B (3).

(c) Bulletin Company, under the terms of its offer and the Decree of the Court, acquired the right to one bond of The Associated Press in the face amount of $1,000, held at the time of the offer by the Trustees of Public Ledger, Inc., but has not yet received delivery of the said bond [fol. 997] due to the inability of the Trustees up to the date hereof to find the same.

Interrogatory 6: State (a) whether Bulletin Company began to publish on or about February 9, 1942, and has continued to publish to date, what was referred to by a representative of Bulletin Company, and by various directors of The Associated Press, at a meeting of the AP board of directors in April 1942 as a "token" newspaper or "token" publication, (b) the approximate number of copies of such "token" newspaper printed daily, (c) the approximate number of copies of such "token" newspaper distributed to the public daily, (d) the approximate number of copies of such "token" newspaper sold daily, (e) the

approximate number of pages of such publication and the approximate size of its pages, (f) the extent to which such publication was circulated, and (g) the approximate amounts spent by Bulletin Company during 1942 and during 1943 for such publication.

Answer: (a) The answer is "Yes."

(b) The number of the copies of Evening Public Ledger printed daily is 200.

(c) The approximate number of copies of Evening Public Ledger distributed to the public daily is not ascertainable, as no such record is kept.

(d) The approximate number of copies of Evening Public Ledger sold daily is nominal, because though offered for sale there has been no great public demand for them.

(e) The number of pages and size of Public Ledger so published is four of standard newspaper size.

[fol. 998] (f) This question is answered by the foregoing.

(g) The approximate amounts spent by Bulletin Company for the publication of Evening Public Ledger during 1942 is nominal, reflecting appropriate economies, and during the first three months of 1943 is on the same basis.

Interrogatory 7: State (a) whether Bulletin Company paid, for the week beginning February 9, 1942, and for each week thereafter in 1942 and 1943, the AP weekly assessment on account of news reports furnished to it as owner of the publication described in the answer to Interrogatory No. 6, and (b) whether such payments by the Bulletin Company reduced, by an equal amount, the weekly AP assessments payable by it during such period on account of AP news reports received by it as owner of the newspaper "The Evening Bulletin."

Answer: (a) The answer is "Yes."

(b) The answer is "No" to the question as stated.

Interrogatory 8: State whether the Board of Directors of The Associated Press in April 1942 voted to issue a certificate of membership to the Bulletin Company as owner of the publication described in the answer to Interrogatory No. 6.

Answer: The answer is "Yes."

Interrogatory 9: State whether, when the owner of a newspaper holding an AP membership has ceased publication of a newspaper other than a "token" newspaper, and transfers such membership to a corporation which proposes to, and does, continue publication of such token newspaper, the transferee of such membership is or is not entitled, under the by-laws of The Associated Press, [fol. 999] to receive a certificate of membership in The Associated Press (a) when the transferee continues publication of the token newspaper under the name under which it has been published prior to such transfer, and (b) when the transferee continues publication of the token newspaper under a different name; and if the answer in the case of (a) is not the same as in the case of (b), specify the provisions of the AP by-laws upon which the difference in the answers is based.

Answer: In answer to interrogatory 9, reference is made to the By-Laws of The Associated Press, true copies of which are in the possession of the United States of America, and in the files of counsel for the United States signing the interrogatories served upon these Defendants, and, therefore, this interrogatory needs no answer.

Interrogatory 10: State whether the Philadelphia Inquirer Company, if it had obtained the AP membership formerly held by Public Ledger, Inc., would have been given the opportunity to publish in Philadelphia an evening newspaper, competitive with The Evening Bulletin, entitled to receive AP news reports.

Answer: In answer to interrogatory No. 10, these Defendants are advised of no facts to support the hypothetical situation stated in this interrogatory. To the best of the knowledge of these Defendants, The Philadelphia Inquirer Company made no effort, in accordance with the By-Laws of The Associated Press, to obtain The Associated Press membership while held by Public Ledger, Inc.

[fol. 1000] *Interrogatory* 11: State the average daily circulation of the Evening Bulletin for each month for the years 1941 and 1942.

Answer: The average daily circulation of The Evening Bulletin for each month for the years 1941 and 1942 is shown on a schedule attached hereto, and marked Defendants' Exhibit C.

Interrogatory 12: State what percentage of the capital stock of Bulletin Company was owned by Robert McLean during the year 1942.

Answer: The percentage of the capital stock of Bulletin Company owned by Robert McLean during the year 1942 was 33⅓%.

Interrogatory 13: State what office Robert McLean held with the Bulletin Company during the year 1942.

Answer: Robert McLean was President of the Bulletin Company during the year 1942.

Interrogatory 14: State in detail the purpose of Bulletin Company in purchasing the name, good will and AP membership of Public Ledger, Inc. and the purpose of Robert McLean in approving said purchase.

Answer: The purpose of the Bulletin Company in purchasing the items of property owned by Public Ledger, Inc. included in the offer of Bulletin Company to the Trustees of Public Ledger, Inc. and set forth in Defendants' Exhibit A attached hereto, and the purpose of Robert McLean as a Director of Bulletin Company in approving the said purchase, was to acquire for Bulletin Company assets believed to have a value to Bulletin Company as the owner of The Evening Bulletin.

[fol. 1001] *Interrogatory* 15: State whether the purpose of Bulletin Company in purchasing the name, good will and AP membership of Public Ledger, Inc., was to prevent competition, or potential competition, with Bulletin Company, and whether Robert McLean had the same purpose in approving said purchase.

Answer: The answer is "No".

Interrogatory 16: State whether Robert McLean or Bulletin Company had contemporaneous knowledge of the letters of Mercer B. Tate, Jr., to Kent Cooper, referred to in Plaintiff's Exhibit No. 1; of Kent Cooper's reply to one of said letters; of Plaintiff's Exhibit No. 2; of the failure of The Associated Press or its directors to advise Mercer B. Tate, Jr., whether the Philadelphia Inquirer would acquire a valid membership in The Associated Press as the result of its purchase; or of the explanation which Arthur P. Moynihan made to the Federal Court referred to in Plaintiff's Exhibit No. 2.

Answer: The answering Defendants have no means of knowing the meaning intended by counsel for the United States of the words "contemporaneous knowledge", but both of these Defendants had knowledge from the public records of the United States District Court for the Eastern District of Pennsylvania of the Exhibits referred to in interrogatory No. 16. These Defendants are advised that they are not required to answer the questions embodied in the words:

> the failure of The Associated Press or its directors to advise Mercer B. Tate, Jr., whether the Philadelphia Inquirer would acquire a valid membership in The [fol. 1002] Associated Press as the result of its purchase.

as the same are not understandable and seem to be, in the form expressed, irrevelant to the issues in this case. The question embodied in the words:

> knowledge • • • of the explanation which Arthur P. Moynihan made to the Federal Court referred to in [Plaintiff's] Exhibit No. 2.

also is irrelevant to the issues in this case, but the answering Defendants state that from various individuals, including Judges of the Federal Court for the Eastern District of Pennsylvania speaking in open court, these Defendants or their representatives heard various statements of the so-called "explanation which Arthur P. Moynihan made to the Federal Court." The variances in the recollections of the various persons commenting upon the same are such that these Defendants are left in doubt as to what exactly was said at the time and place referred to.

Interrogatory 17: State whether Robert McLean, or any representative of Bulletin Company, conferred or consulted with Kent Cooper or Arthur P. Moynihan regarding the inquiry of Mercer B. Tate, Jr.; or the effect of the purchase of the AP membership of Public Ledger, Inc., by Philadelphia Inquirer Company prior to February 6, 1942.

Answer: Interrogatory No. 17 is not answered because, as stated, its meaning cannot be ascertained.

Interrogatory 18: State in detail the present purpose or purposes of Robert McLean and Bulletin Company with

regard to the use, sale or nonuse by Bulletin Company of [fol. 1003] the AP membership acquired from Public Ledger, Inc.

Answer: The answer to this interrogatory is that Bulletin Company is exercising its rights as a member of The Associated Press incident to the membership acquired from Public Ledger, Inc.

Interrogatory 19: State whether Robert McLean or Bulletin Company purposes or intends that Bulletin Company transfer the AP membership to a third party for the publication of a newspaper competing with Bulletin Company.

Answer: The answer to this interrogatory is that neither Robert McLean nor Bulletin Company are advised of the existence of any "third party" possessed of the desire to publish a newspaper in competition with Bulletin Company.

Interrogatory 20: State whether Robert McLean or Bulletin Company purposes or intends that Bulletin Company shall publish a newspaper using the AP membership acquired by Bulletin Company from Public Ledger, Inc., which would compete with Bulletin Company.

Answer: The answer to this interrogatory is contained in the answer to interrogatory No. 18.

Interrogatory 21: State what efforts, if any, have been made by Robert McLean or Bulletin Company toward finding a purchaser who would succeed to the AP membership acquired by Bulletin Company from Public Ledger, Inc.

Answer: The answer to this interrogatory is "None."

[fol. 1004] *Interrogatory* 22: State whether Robert McLean or the Board of Directors of The Associated Press took any steps following the issuance in 1942 of the certificate of AP membership to Bulletin Company to make said AP membership available to the Philadelphia Inquirer Company.

Answer: The answer is "No."

[fol. 1005] PLAINTIFF'S EXHIBIT No. 1

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF PENNSYLVANIA

No. 21904

In the Matter of Public Ledger, Inc., Debtor

In Proceedings for the Reorganization of a Corporation under Chapter 10 of the Bankruptcy Act

Report With Respect to Associated Press Franchise or Membership of the Debtor

To the Honorable, the Judges of the District Court of the United States for the Eastern District of Pennsylvania:

The report of David H. Brillhart, J. Harris Warthman, and Robert Cresswell, Trustees of the Debtor, respectfully represents as follows:

1. That David H. Brillhart, J. Harris Warthman, and Robert Cresswell are the duly appointed and qualified Trustees of the Debtor herein, the said David H. Brillhart and the said Robert Cresswell having been duly appointed by decree of this Court entered herein on November 7, 1941, and the said J. Harris Warthman having been duly appointed by decree of this Court entered on November 13, 1941.

2. As set forth in the petition filed herein by the Trustees of the Debtor on January 8, 1942, the Trustees of the Debtor, under date of January 6, 1942, received an offer from The [fol. 1006] Philadelphia Inquirer Company to purchase from the Debtor its Associated Press franchise or membership for the sum of Ten Thousand Dollars ($10,000). A copy of the said offer was attached to the said petition, by reference to which it may be noted that the offer was made subject to the approval of the Associated Press of the transfer of the franchise to the said The Philadelphia Inquirer Company.

3. Pursuant to the prayer of the aforesaid petition, this Honorable Court entered an order on January 8, 1942, fixing a time for a hearing upon the aforesaid offer on January 26, 1942, at 10 A. M.

4. On January 26, 1942, this Honorable Court held a hearing upon the said offer, at which no party in interest appeared except counsel for the Trustees of the Debtor and counsel for The Philadelphia Inquirer Company. No objection having been interposed to the proposed sale and transfer, this Honorable Court entered an order on the same day authorizing the Trustees of the Debtor to sell and transfer to The Philadelphia Inquirer Company the Associated Press franchise of the Debtor for the sum of Ten Thousand Dollars ($10,000) and to execute and deliver any and all documents which might be necessary to effectuate such sale and transfer, subject to the approval of the Associated Press. By the terms of said order, the Trustees of the Debtor were directed to request the Associated Press to consider the transfer of said franchise on approval or disapproval as promptly as possible.

5. Thereafter, on January 27, 1942, the Trustees of the Debtor, through their counsel, Mercer B. Tate, Jr., Esquire, [fol. 1007] notified the Associated Press, through its general manager, Kent Cooper, of the confirmation of the sale by this Honorable Court, in a letter, a copy of which is attached hereto and made a part hereof, marked Exhibit "A."

6. Thereafter, the said counsel for the Trustees received a letter from Kent Cooper, on behalf of the Associated Press, dated January 29, 1942, a copy of which is attached hereto and made a part hereof, marked Exhibit "B."

7. Thereafter, on February 2, 1942, the counsel for the Trustees of the Debtor, acting on their behalf, wrote an additional letter to the Associated Press, through Kent Cooper, its general manager, a copy of which is attached hereto and made a part hereof, marked Exhibit "C."

8. Meanwhile sundry conferences were held, which were attended by the counsel for the Trustees of the Debtor, the counsel for The Philadelphia Inquirer Company, namely, Richardson Dilworth, Esquire, of the Philadelphia Bar, the counsel for the Associated Press, Arthur Moynihan, Esquire, of the New York Bar, and sundry other persons.

9. The trustees of the Debtor have not received any letter or other communication, certifying the action of the Associated Press with respect either to the approval or dis-

approval of the sale and transfer of the franchise or membership therein of the Debtor to The Philadelphia Inquirer Company.

10. Under date of February 4, 1942, the counsel for the Trustees of the Debtor received a letter from Richardson Dilworth, Esquire, counsel for The Philadelphia Inquirer [fol. 1008] Company, a copy of which is attached hereto and made a part hereof, marked Exhibit "D," stating that The Philadelphia Inquirer Company was not prepared to bid for the name and good will of Public Ledger, Inc., and that, under the circumstances of the case, it would be necessary for The Philadelphia Inquirer Company to discontinue the payment of the weekly assessment to the Associated Press and the publication of a token newspaper in conformity with the rules of the Associated Press, which The Philadelphia Inquirer Company had been doing since January 5, 1942, when the operations of the Trustees of the Debtor ceases, without any expense to the Trustees of the Debtor or to the Debtor's estate.

11. In view of the circumstances and in view of the fact that the operations of the Trustees ceased as of midnight, January 5, 1942, it is impossible for the Trustees of the Debtor to continue the publication of any token newspaper or to pay any weekly assessment to the Associated Press, which the Trustees of the Debtor are advised they should formally report to this Honorable Court.

David H. Brillhart, (Signed) J. Harris Warthman, (Signed) Robert Cresswell, Trustees of Public Ledger, Inc., Debtor. (Signed) Mercer B. Tate, Jr., Esq., Attorney for Trustees of the Debtor.

Dated Philadelphia, Pa., February 9, 1942.

[fol. 1009] UNITED STATES OF AMERICA,
Eastern District of Pennsylvania,
City and County of Philadelphia, ss:

David H. Brillhart, J. Harris Warthman, and Robert Cresswell, being first severally sworn according to law, do depose and say that they are the duly appointed and qualified Trustees of the Debtor herein; that they have read the foregoing report and that as to the facts set forth therein,

within their own knowledge, the same are true, and as to those facts based on information and belief, that they believe them to be true.

(Signed) David H. Brillhart, J. Harris Warthman, Robert Cresswell.

(Signed) David H. Brillhart, J. Harris Warthman, February, A. D. 1942. (Signed) Elbert Williamson, *Notary Public.* My Commission Expires March 7, 1943.

PLAINTIFF'S EXHIBIT 1 A

January 27, 1942.

Re: Trustees of Public Ledger, Inc.

Mr. Kent Cooper, *General Manager, Associated Press, 50 Rockefeller Plaza, New York City.*

DEAR MR. COOPER:

As you know from sundry conversations which Mr. Robert [fol. 1010] Cresswell, one of the Trustees of Public Ledger, Inc., had with you at the time of the cessation of operations of the Public Ledger, Inc. on January 5th, The Philadelphia Inquirer Company made an offer for the purchase of the Associated Press Franchise of the Ledger.

It thereupon requested the Court appointed trustees to submit that offer to the Court, which they did upon their petition, and that came on before the Court for a hearing yesterday morning. Later in the day the Court authorized the sale, subject to the approval of the Associated Press, and directed the Court's trustees to request the Associated Press to take action on approval or disapproval of the transfer of this franchise promptly.

For your information I enclose a copy of the order which was entered after the matter had been heard by the three Federal Judges assigned to this case. May I ask, pursuant to the Court's admonition, whether the Associated Press will not act on this matter promptly in view of the nature of the entire situation.

Very truly yours, (s) Mercer B. Tate, Jr.

PLAINTIFF'S EXHIBIT 1 B

The Associated Press,
General Office, 50 Rockefeller Plaza,
New York, N. Y., January 29, 1942.

Mr. Mercer B. Tate, Jr., *1421 Chestnut Street, Philadelphia, Pennsylavnia.*

DEAR MR. TATE:

Your letter of January 27, 1942 concerning the member- [fol. 1011] ship of Public Ledger, Inc., which has been previously acknowledged, has come to my attention.

The method of transferring an Associated Press membership is prescribed by the By-Laws, a copy of which is enclosed. Your attention is directed particularly to Articles II and III.

There are enclosed an application for membership and authority. When these papers have been executed in proper form, kindly return them to me and the transfer of the membership of Public Ledger, Inc. will receive prompt attention. If there appears to be any question which only the Board of Directors can decide, I will so advise you.

My understanding is that you have been informed that upon a change of ownership of a newspaper, the newspaper's membership in The Associated Press may be transferred with the newspaper if the By-Laws have been complied with, but that there is no franchise which is the subject of sale or assignment.

Very truly yours, (s) Kent Cooper.

PLAINTIFF'S EXHIBIT 1-C

February 2, 1942.

Re: *Trustees of Public Ledger, Inc.*

Mr. Kent Cooper, *c/o The Associated Press, 50 Rockefeller Plaza, New York City.*

DEAR MR. COOPER:

In Saturday morning's mail, I received your letter together with the enclosures therein mentioned with respect to the transfer of the franchise or membership of Public

[fol. 1012] Ledger, Inc., upon the offer by the Philadelphia Inquirer Company to purchase the same from the Trustees of Public Ledger, Inc., which sale has been authorized by our District Court, subject to the approval of the Associated Press.

As you know, your general counsel Mr. Moynihan spent considerable time with me and Mr. Dilworth on Wednesday of last week and we were also attended at that conference by one of the Court's Trustees, Mr. Brillhart, and also by Mr. McLean.

I am afraid that I must confess that I am now not entirely clear as to the position of the Associated Press. Mr. McLean and Mr. Moynihan explained at considerable length the general workings of your organization. On the other hand, I explained to them what had been done at the time of the cessation of operations of the Public Ledger on January 5th and 6th and the arrangements that had been made with your office, not only by Mr. Tyler of The Philadelphia Inquirer but also by the Court appointed Trustees. Since that time, I have done everything that you told us we should do and your organization has received the weekly assessment which has been paid, as you know, by The Philadelphia Inquirer Company. Notice of the transaction was given to all creditors and parties in interest, including The Associated Press, and came before the Court on January 26th. No one appeared before the Court other than myself as counsel for the Trustees and Mr. Dilworth, as counsel for the proposed purchaser, and of course, no objection was interposed by any party in interest or by yourselves. Ac-[fol. 1013] cordingly the order was entered, with a certified copy of which you have been furnished.

At the conference of last Wednesday, after a very full and thorough discussion of the entire situation, I asked a very simple question of Mr. Moynihan and Mr. McLean: Did The Associated Press approve or disapprove of this transfer? I had been directed by the Judges of our District Court to put that direct question to your organization.

You will, of course, understand that I hold no brief for or against any party in interest in this situation. I am simply an officer of the Court, representing its own Trustees, and what I have done has been to fulfill the direction which the Judges have given to me. I understood Mr. Moynihan and Mr. McLean to say that I would have a direct answer to that

question, and, with great respect, I must say that I do not think your letter is such an answer. It is simply a restatement of the general statements made by Mr. Moynihan to me and which he himself admitted were not a direct answer to that question.

I wish to be of any service that I can to the parties who are interested in this transaction including your own organization. I am bound, of course, to report the contents of your letter to the Trustees and to the Judges which I will do today.

Meanwhile, permit me to thank you for the attention that you have given to this and the courtesy which you have extended to my clients.

Very truly yours, (s) Mercer B. Tate, Jr.

[fol. 1014] PLAINTIFF'S EXHIBIT 1 D

Murdoch, Paxson, Kalish & Green,
2635 Fidelity-Philadelphia Trust Building,

Philadelphia, February 4, 1942.

Mercer B. Tate, Jr., *Esquire*, 15th Floor, Morris Building, Philadelphia, Pennsylvania.

DEAR MERCER:

Confirming our telephone conversation, I have discussed with my client, The Philadelphia Inquirer Company, the suggestion made by the Court that the Inquirer might wish to enter a bid for the name and good will of the Evening Public Ledger.

In good faith the Inquirer made an offer of $10,000.00 for the Associated Press Membership, which the Court approved, here being no other bidders.

They have been informed by me, that on the statements made by counsel for the Associated Press, the membership will not be transferred by that organization unless the name and good will accompany the membership.

As they will not bid for the name and good will, please accept this as notice that the Inquirer will not pay the draft assessment of $1,305.70 levied against the Evening Public Ledger on February 9th, and will discontinue the token publication on that date.

Very truly yours, (s) Richardson Dilworth.

PLAINTIFF'S EXHIBIT No. 2

DEAR MR. TATE:

I have your letter of February 5 and the enclosure concerning the Philadelphia Evening Public Ledger.

[fol. 1015] I am afraid that you have a misconception of the authority of the General Manager of The Associated Press. That title was conferred by the Board upon the individual whom the Board designates as controlling the news service and personnel. The General Manager has nothing whatever to do with the corporate business of the organization. It so happens that I am also Secretary of The Associated Press. The duties of the Secretary are defined in the By-Laws, copy of which you have. You understand, therefore, that all I can do as to corporate matters such as this is to report to the Board of Directors, which is the only authority.

The By-Laws prescribe the action to be taken by the Treasurer of the corporation when there is a default in the payment of assessments by a member. This means that the drafts will continue to be drawn and if after two weeks they have not been paid, in conformity with the By-Laws, the news service will be discontinued and the assessments for 104 weeks will become payable.

Now, as to your letter of February 2, Mr. Moynihan met with you and members of the Federal Court the day it was received to explain that there is no Associated Press franchise which is the subject of sale or assignment or with respect to which the Board of Directors may take action. I cannot add anything to what has been previously stated on that subject.

Very truly yours, Kent Cooper.

[fol. 1016] DEFENDANTS' EXHIBIT No. A

The Evening Bulletin,

Philadelphia, February 12, 1942.

Messrs. David H. Brillhart, J. Harris Warthman, Robert Cresswell, Trustees,

Public Ledger, Inc., Philadelphia.

GENTLEMEN: Bulletin Company hereby offers to purchase from Public Ledger, Inc., and the aforesaid Trustees, the

newspaper known as The Evening Public Ledger—that is to say, the names "Evening Public Ledger," "Evening Ledger," and the "Philadelphia Evening Public Ledger," all rights to use the same, the good-will of Public Ledger, Inc., the certificate of membership of the Philadelphia Evening Public Ledger owned by Public Ledger, Inc., in The Associated Press and all rights therein and thereunder and in and to all privileges and property of The Associated Press, including the bonds of The Associated Press held by Public Ledger, Inc., of the par value of $1,000.

As the consideration for such sale, we agree to pay the sum of Forty Thousand Dollars ($40,000). In addition, we will indemnify and save harmless Public Ledger Inc., said Trustees and their successors, from any assessments which may be made by The Associated Press against it, them, or any of them, subsequent to the confirmation by the Court of said sale to Bulletin Company.

Bulletin Company will assume and pay the weekly assessments to The Associated Press with respect to said Associated Press membership for service for the period [fol. 1017] beginning February 9, 1942, and ending February 21, 1942.

Very truly yours, Bulletin Company, by Richard W. Slocum, *Secretary*.

DEFENDANTS' EXHIBIT B

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT OF PENNSYLVANIA

No. 21904

IN THE MATTER OF PUBLIC LEDGER, INC., DEBTOR

In Proceedings for the Reorganization of a Corporation under Chapter 10 of the Bankruptcy Act

Decree

And now, this 20th day of February, A. D. 1942, after hearing in open court, and upon due consideration, it was, on motion of Mercer B. Tate, Jr., Esq., counsel for David H. Brillhart, J. Harris Warthman, and Robert Cresswell, Trustees of the Debtor herein,

Ordered, adjudged and decreed:

1. That the acceptance by the said Trustees of the Debtor of the offer of Bulletin Company, which is as follows:

> Bulletin Company hereby offers to purchase from Public Ledger, Inc., and the aforesaid Trustees, the newspaper known as The Evening Public Ledger,—that is to say, the names "Evening Public Ledger," "Evening Ledger," and the "Philadelphia Evening Public Ledger," all rights to use the same, the good-will of Public Ledger, Inc., the certificate of membership of the Philadelphia Evening Public Ledger owned [fol. 1018] by Public Ledger, Inc., in The Associated Press and all rights therein and thereunder and in and to all privileges and property of The Associated Press, including the bonds of The Associated Press held by Public Ledger, Inc., of the par value of $1,000.
>
> As the consideration for such sale, we agree to pay the sum of Forty Thousand Dollars ($40,000). In addition we will indemnify and save harmless Public Ledger, Inc., said Trustees and their successors, from any assessments which may be made by The Associated Press against it, them or any of them, subsequent to the confirmation by the Court of said sale to Bulletin Company.
>
> Bulletin Company will assume and pay the weekly assessments to The Associated Press with respect to said Associated Press membership for service for the period beginning February 9, 1942 and ending February 21, 1942.

be and the same is hereby authorized, and the sale of the assets of the Debtor, described in the said offer, is hereby confirmed, upon the payment by Bulletin Company to the said Trustees of the sum of forty thousand dollars ($40,000) and the delivery to the said Trustees in writing of the agreement of indemnity set forth in the said offer.

2. That the said Trustees, David H. Brillhart, J. Harris Warthman and Robert Cresswell, be and they are hereby directed to transfer, assign and deliver to Bulletin Company:

(a) The newspaper publication formerly known or now known as "Philadelphia Evening Public Ledger," "The Evening Public Ledger," "Evening Public Ledger," or

[fol. 1019] "Evening Ledger," and all the rights of the Debtor and its Trustees to use each and every of the said names with or in respect to a newspaper published by Bulletin Company or its assigns, and also including all of the right, title and interest of the Debtor and the said Trustees to publish the said newspaper;

(b) The good-will of Public Ledger, Inc., in respect to the newspaper known as above described and heretofore published by Public Ledger, Inc., and the Trustees of the said Debtor;

(c) The certificate of membership in The Associated Press now standing in the name of "Philadelphia Evening Public Ledger," and to take such other and further action which may be necessary to effcet such transfer of said membership to Bulletin Company or its assigns; and

(d) The bonds in the aggregate in the sum of one thousand dollars ($1,000) of The Associated Press, now owned by the Debtor.

(S.) Harry E. Kalodner, Guy K. Bard, *United States District Judge.*

DEFENDANTS' EXHIBIT B (1)

For value received, the undersigned, as Trustees of Public Ledger, Inc., (formerly known and styled as Curtis-Martin Newspapers, Inc.), do hereby assign, transfer and convey unto Bulletin Company, owner of the "Evening Public Ledger" newspaper (also sometimes known as "Philadelphia Evening Public Ledger" or "Evening Ledger"), the within certificate of membership No. 6579 and all of the right, title and interest of Public Ledger, Inc., [fol. 1020] and of said Trustees therein and thereunder and in and to all privileges and property of The Associated Press, subject to the By-Laws and to all of the obligations of membership.

Dated this 20th day of February, 1942.

In the presence of:

(S.) David H. Brillhart, Mercer B. Tate, Jr., J. Harris Warthman, Elizabeth Whyte. Robert Cresswell, Frederick H. Knight.

As Trustees of Public Ledger, Inc.,
By Appointment of the United States District Court
In and for the Eastern District of Pennsylvania.

DEFENDANTS' EXHIBIT B (2)

For value received, the undersigned, as Trustees of Public Ledger, Inc., (formerly known and styled as Curtis-Martin Newspapers, Inc.), do hereby assign, transfer and convey unto Bulletin Company, owner of the "Evening Public Ledger" newspaper (also sometimes known as "Philadelphia Evening Public Ledger" or "Evening Ledger"), all of the right, title and interest of Public Ledger, Inc., and of said Trustees in and to Bond No. 598 issued by The Associated Press of the par value of $1,000. The undersigned Trustees agree to execute and deliver any and all further documents which may be reasonably re-
[fol. 1021] quired effectually to consummate a transfer of the title to said bond, and to take such other and further action which may be necessary to effect a transfer of said bond to Bulletin Company or its assigns.

Dated this 20th day of February, 1942.

In the presence of:

(S.) David H. Brillhart, Mercer B. Tate, Jr., J. Harris Warthman, Frederick H. Knight, Robert Cresswell, Elizabeth Whyte.

As Trustees of Public Ledger, Inc.,
By Appointment of the United States District Court,
In and for the Eastern District of Pennsylvania.

DEFENDANTS' EXHIBIT B (3)

February 20, 1942.

The undersigned, Bulletin Company, a corporation duly organized and existing under and by virtue of the laws of the Commonwealth of Pennsylvania, hereby agrees to indemnify and save harmless Public Ledger, Inc., David H. Brillhart, J. Harris Warthman, and Robert Cresswell, as Trustees of Public Ledger, Inc., and their successors, from any assessments which may be made by The Associated Press against it, them or any of them subsequent to the
[fol. 1022] confirmation by the United States District Court in and for the Eastern District of Pennsylvania on Febru-

ary 20, 1942, of the sale of the name or names and good-will of Public Ledger, Inc., its membership in The Associated Press and all of its rights incident to such membership to Bulletin Company.

In witness whereof, Bulletin Company has caused this instrument to be executed in its corporate name and on its corporate behalf by its Vice President and its corporate seal to be hereunto affixed, duly attested by its Secretary as of the 20th day of February, 1942.

Bulletin Company, by (S.) Wm. L. McLean, Jr., *Vice President.* (Seal.)

Attest:

(S.) Richard W. Slocum, *Secretary.*

DEFENDANTS' EXHIBIT C

Average daily circulation of the Evening Bulletin by months for the years 1941 and 1942

1941

January	477,768
February	480,029
March	481,606
April	481,253
May	476,808
June	479,558
July	474,572
August	471,843
September	478,198
October	490,425
November	500,140
December	535,636

1942

January	606,186
February	632,413
March	638,847
April	630,410
May	623,225

1942

June	625,543
July	615,295
August	623,354
September	621,116
October	623,917
November	635,286
December	623,627

[fol. 1023] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

STIPULATION DATED FEBRUARY 27, 1943, AS TO CERTAIN FACTS RELATING TO WIDE WORLD PHOTOS, INC., AND THE ASSOCIATED PRESS (OF ILLINOIS)

* * * * * * *

[fol. 1024] Pursuant to stipulation of the parties dated February 11, 1943, it is hereby stipulated for all purposes of this case, subject to all pertinent objections which may be made other than objections as to accuracy, that:

1. The facts set forth in plaintiff's request for admissions numbers 33–a; 33–c through 33–n, both inclusive; 33–p; 33–q and 33–r are true, and the documents referred to in plaintiff's request for admissions numbers 33–c through 33–n, both inclusive, are accurate and correct copies.

2. With respect to plaintiff's request for admission number 33–b:

The copy of the by-laws of The Associated Press (of Illinois) annexed hereto and marked Exhibit A is a true and correct copy of the said by-laws in effect immediately prior to September 30, 1900.

[fol. 1025] 3. With respect to plaintiff's request for admission number 33–c:

The copy of the report to stockholders of The Associated Press (of Illinois) annexed hereto and marked Exhibit B is a true and correct copy of said report.

4. With respect to plaintiff's request for admission number 33–d:

The copy of resolution adopted by the stockholders of The Associated Press (of Illinois) at their meeting held in Chicago, Illinois, on September 12-13, 1900, annexed hereto and marked Exhibit C, is a true and correct copy of said resolution.

5. The facts set forth in plaintiff's request for admissions numbered 33–e are true except that St. Clair McKelway, Adolph F. Ochs, and Alfred H. Belo had been, prior to May 16, 1900, representatives of the stockholdings of their respective newspapers who were members of The Associated Press (of Illinois).

6. With respect to Interrogatory No. 103:

The only customers known to The Associated Press, aside from those listed in Exhibit No. 40 attached to plaintiff's request for admissions, as having been customers served by Wide World Photos, Inc., in the month of July 1941 are those whose names were furnished to The Associated Press by the New York Times at the time The Associated Press acquired the stock of Wide World Photos, Inc., a list of which is attached hereto and marked Exhibit D.

7. With respect to Interrogatory No. 104:

[fol. 1026] A comparison of the names of the persons listed on Exhibit 41, annexed to plaintiff's request for admissions with the names of the persons furnished to The Associated Press by the New York Times, listed in Exhibit D attached hereto, shows that the following were not furnished to The Associated Press by the New York Times:

Adelaide Advertiser
Brisbane Courier
Canadian Freeman
Columbia School of Journalism
Daily Mirror, Australia
Edmonton Journal
Jewish World
Oscar Kersenbaum
Le Soleil
Luso Americano
Pico Post
Sidney Daily Telegraph

8. With respect to Interrogatory No. 105:

The Associated Press was not furnished with the names of any other customers of Wide World Photos, Inc., except those referred to in the answer to Interrogatory 103.

9. With respect to Interrogatory No. 106:

The Associated Press was not furnished with the names of any other customers of Wide World Photos, Inc., except those referred to in the answer to Interrogatory 103.

10. With respect to Interrogatory No. 107:

Wide World Photos, Inc., discontinued its mat service to all of its customers on or about February 7, 1942. On De- [fol. 1027] cember 10, 1941, it notified the following persons or organizations, listed on Exhibit 41 annexed to plaintiff's request for admissions, that it would not be possible for Wide World Photos, Inc., to serve them after December 31, 1941:

Brastvo Slovak News
The Catholic Observer
Commercial News Press
Ernest Printing Company
Federated Press, N. Y. C.
Michigan Times
Greek Daily Herald
The Italian Echo
Jewish Morning Journal
Newsday
Queens Evening News
Zanesville News
Serbian Daily
Jewish Daily Forward
Fore River Publishing Co.

Wide World Photos, Inc., however, continued to serve The Federated Press, The Jewish Daily Forward, and The Catholic Observer until February 7, 1942.

11. With respect to Interrogatory No. 108:

The names of all persons and/or organizations, except Associated Press members, presently receiving picture service of Wide World Photos, Inc. (formerly Wide World News and Photos Inc.), are as follows:

Oscar Kersenbaum, Buenos Aires
La Press, Montreal

Montreal Standard
PM New York
[fol. 1028] Time, Inc.
Toronto Star.

Dated, February 27, 1943.

John Henry Lewin, Charles H. Weston, Charles B. Rugg, *Special Assistants to the Attorney General, Attorneys for Plaintiff;* Milbank, Tweed & Hope, *Attorneys for the Defendants, The Associated Press et al.;* Townley, Updike & Carter, Weymouth Kirkland, *Attorneys for Defendants Tribune Company and Robert Rutherford McCormick.*

[fols. 1029-1049] EXHIBIT "A" Omitted. See Exhibit 10, Printed side page, 292 ante

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[fols. 1050-1053] EXHIBIT "B" omitted. See Exhibit 11, printed side page 313 ante.

[fol. 1054] EXHIBIT "C" omitted. See Exhibit 12, printed side page 317 ante.

[fol. 1055] EXHIBIT "D"

World Wide Photos, Inc., Photo Subscribers as of July 23, 1941

All American Newspaper Representative, New York City
Baltimore Sun
Boston Herald Traveler
Brooklyn Eagle
British Press Service
Buffalo Courier Express
Chicago Daily News
Chicago Daily Times
Christian Science Monitor
Cleveland Plain Dealer
Sydney, Australia, Mirror
Detroit News

Diaro De La Marina, Havana
Duluth Herald and News Tribune
Elliott Service
Estampa, Bogota
Illustrated Current News, New Haven, Conn.
Jewish Daily Forward, New York
La Presse, Montreal
Le Petit Journal, Montreal
Life-Times, Inc., New York
Los Angeles Examiner
Melbourne, Australia, Herald and Weekly Times
Minneapolis Tribune
Montreal Standard
Pressenbild, Stockholm
Nordisk Press, Copenhagen
[fol. 1056] New York Times
Netherlands Trading Society, Batavia, D. E. I.
Nu Method Matrix, New York City
O'Jornal, Rio
Pittsburgh Post-Gazette
Providence Journal
PM, New York
Ramon Roces, Manila
Salvation Army, New York
Springfield Republican, Springfield, Mass.
New York Staats-Zeitung
Standard Gravure, Louisville
Tel-Pic Syndicate, New York
Los Angeles Times
Tokyo Asahi
Toledo Blade
Toronto News
United Features Syndicate
United States News
Vancouver Sun
Newsweek Magazine
Youngstown Vindicator
Todo, Mexico City (magazine)
St. Louis Globe Democrat

Wide World Photos, Inc., Mat Service Subscribers as of July 23, 1941

Arkansas Gazette, Little Rock, Arkansas
Baltimore Daily Correspondent, 327 North Gay Street, Baltimore, Maryland
*Bluefield Daily Record, 229 West 43rd Street, New York City
*Charleston Daily Mail, 229 West 43rd Street, New York City.
[fol. 1057] Benedictine Press, St. Benedict, Oregon
Binghamton Press, Binghamton, New York
Brastvo Slovak News, 9 East North Street, Wilkes-Barre, Pa.
Brazil Times, Brazil, Ind.
Bridgeport Herald, Bridgeport, Conn.
British Press Service, 30 Rockefeller Plaza, New York City
Catholic News, 369 Lexington Avenue, New York City
Catholic Observer, Pittsburgh, Pa.
Catholic Transcript, Hartford, Conn.
Chattanooga Times, Chattanooga, Tenn.
Citrus Valley News, 333 South Thomas Street, Pomona, Calif.
Commercial News Press, 156 West Pico Blvd., Los Angeles, California.
Compton Printing Company, 1029 West Washington Blvd., Los Angeles, Calif.
Danville Register Bee, Danville, Va.
Denver Register, Denver, Colo.
Easton Express, Easton, Pa.
Elizabeth Daily Journal, Elizabeth, N. J.
El Monte Independent, 541 West Valley Blvd., El Monte, California
R. W. Ernst Printing Co., 3600 S. Western Avenue, Los Angeles, Calif.
Federated Press, 30 Irving Place, New York City
Fore River Newspaper Co., 136 East Howard Street, Quincy, Mass.
Fresno Guide, Fresno, Calif.

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* These two W. Va. papers represented by Bell Syndicate in New York.

Gloversville Leader Republican and Herald, Gloversville, New York.
Grand Rapids Times, Grand Rapids, Michigan
Greek Daily Herald, 140 West 26th Street, New York City
[fol. 1058] Greenville News, Greenville, S. C.
Holyoke Transcript, Holyoke, Mass.
Italian Echo, 653 Atwells Ave., Providence, R. I.
Ithaca Journal, Ithaca, N. Y.
Jersey Observer, Hoboken, N. J.
Lancaster New Era, Lancaster, Pa.
La Prensa, 245 Canal Street, New York City
Le Petit Journal, 1242 Rue Saint-Denis, Montreal, Canada
Lynchburg News and Advance, Lynchburg, Va.
Monitor, 125 Twelfth Street, San Francisco, Calif.
Nebraska State Journal, Lincoln, Nebraska
New Britain Herald, New Britain, Conn.
New World, 109 North Dearborn Street, Chicago, Illinois.
Newsday, Hempstead, L. I.
Ottawa Journal, Ottawa, Ontario, Canada
Pasadena Star News, Pasadena, Calif.
Pawtucket Times, Pawtucket, R. I.
Philadelphia Jewish Journal, Fifth and Spruce Sts., Philadelphia, Pa.
Polish Everybody's Daily, Everybody Building, Buffalo, N. Y.
Queens Evening News, 107-42 Merrick Blvd., Jamaica, L. I.
Reading Times, Reading, Pa.
The Record Newspapers, Troy, N. Y.
San Bernadino Sun-Telegram, San Bernadino, Calif.
Schenectady Union-Star, Schenectady, N. Y.
Scranton Times, Scranton, Pa.
Southern California Associated Newspapers, 829 Security Bldg., Los Angeles, Calif.
Southwest Wave, Los Angeles, Calif.
Spokesman-Review, Spokane, Wash.
[fol. 1059] Staats-Zeitung, 22 North William Street, New York City
Sun Journal, Lewiston, Me.
Troy Record, Troy, N. Y.
Valley Times, 11109 Magnolia Blvd., North Hollywood, Calif.
West Los Angeles Weekly Independent, 11216 Santa Monica Blvd., W. Los Angeles, Calif.

West Coast Printers, 338 North Western Avenue, Los Angeles, Calif.
Wilmington News Journal, Wilmington, Del.
Zanesville News, Zanesville, O.
Progress Journal, Second Avenue, San Diego, Calif.
Steffire Type Service, 4757 W. Adams, Los Angeles, Calif.
Joseph Lyddon Printing Co., San Bernadino, Calif.
Philadelphia Record, Philadelphia, Pa.
Capital News
Compton Herald
La Jolla Weekly Light
Serbian
Illustrated Press

[fol. 1060] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

Interrogatories on Behalf of Defendant, the Associated Press and Answers Thereto of the Plaintiff, United States of America

[fol. 1061] INTERROGATORIES ON BEHALF OF THE DEFENDANT, THE ASSOCIATED PRESS, TO BE ANSWERED UNDER OATH BY THE PLAINTIFF, UNITED STATES OF AMERICA, PURSUANT TO RULE 33 OF THE FEDERAL RULES OF CIVIL PROCEDURE

1. State the date or dates upon which Mrs. Eleanor Medill Patterson, publisher of the Washington Times-Herald, complained, alleged, or stated, orally or in writing, to the Department of Justice or to Thurman Arnold, former Assistant Attorney General, or to any other official, employee, or representative of said Department, that she was or would be or might be unable to obtain membership in The Associated Press.

2. State the date or dates upon which Marshall Field or The Chicago Sun or any employee or representative of Marshall Field or of The Chicago Sun complained, alleged, or stated, orally or in writing, to the Department of Justice or to Thurman Arnold, former Assistant Attorney General, or to any other official, employee, or representative of said

Department, that he was or would be or might be unable to obtain membership in The Associated Press.

[fol. 1062] 3. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun has, during the period July 1, 1941, to date, entered into any contracts or agreements with United Press Associations under which United Press Associations agrees to furnish its news service for publication in The Chicago Sun.

4. If the answer to Interrogatory 3 is in the affirmative, set forth in detail the terms of each of said contracts or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

5. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun has, during the period July 1, 1941, to date, entered into any contracts or agreements with New York Herald-Tribune News Service, or any other person, firm, or corporation, under the terms of which New York Herald-Tribune Service is furnished for publication in The Chicago Sun.

6. If the answer to Interrogatory 5 is in the affirmative, set forth in detail the terms of each of said contracts or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

7. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun has, during the period July 1, 1941, to date, entered into any contracts or agreements with Acme Newspictures, Inc., under the terms of which Acme Newspictures, Inc., granted to The Chicago Sun any right to receive and publish the service of Acme Newspictures, Inc., in the said The Chicago Sun.

8. If the answer to Interrogatory 7 is in the affirmative, set forth in detail the terms of each of said contracts or agreements, including the dates they were made, the parties [fol. 1063] thereto, and the nature and dates of any modifications thereof.

9. State whether Marshall Field or The Chicago Sun, or any employee of Marshall Field or The Chicago Sun, has

entered into any contracts or agreements with any persons, firms, or corporations, other than those specifically mentioned in Interrogatories 3 to and including 8 under the terms of which such persons, firms, or corporations furnish news, features, pictures, comics or other material for publication in The Chicago Sun.

10. If the answer to Interrogatory 9 is in the affirmative, set forth in detail the terms of all of said contracts or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

11. State whether Mrs. Eleanor Medill Patterson or the Washington Times-Herald, or any employee of Mrs. Eleanor Medill Patters or of the Washington Times-Herald, has, during the period January 1, 1939, to date, entered into or is now a party to any contracts or agreements with United Press Associations under which United Press Associations agrees to furnish its news for publication in the Washington Times-Herald.

12. If the answer to Interrogatory 11 is in the affirmative, set forth in detail the terms of said contracts or agreements, including the dates upon which they were made, the parties thereto, and the nature and dates of any modifications thereof.

13. State whether Mrs. Eleanor Medill Patterson or the Washington Times-Herald, or any employee of Mrs. Eleanor Medill Patterson or of the Washington Times-Herald, has, during the period January 1, 1939, to date, entered into or is now a party to any contracts or agreements with King [fol. 1064] Features, Inc., or with any other person, firm, or corporation, under which any services furnished by King Features, Inc., including I. N. S. news service, is furnished for publication in the Washington Times-Herald.

14. If the answer to Interrogatory 13 is in the affirmative, set forth in detail the terms of said contracts or agreements, including the dates upon which they were made, the parties thereto, and the nature and dates of any modifications thereof.

15. State whether Mrs. Eleanor Medill Patterson or the Washington Times-Herald or any employee of Mrs. Eleanor

Medill Patterson or of the Washington Times-Herald, has, during the period January 1, 1939, to date, entered into or is now a party to any contracts or agreements with Chicago Tribune-New York News Syndicate, Inc., under which said Syndicate agrees to furnish its services, news, and otherwise, for publication in the Washington Times-Herald.

16. If the answer to Interrogatory 15 is in the affirmative, set forth in detail the terms of said contracts or agreements, including the dates upon which they were made, the parties thereto, and the nature and dates of any modifications thereof.

17. State whether Mrs. Eleanor Medill Patterson or the Washington Times-Herald or any employee of Mrs. Eleanor Medill Patterson or of the Washington Times-Herald has, during the period January 1, 1939, to date, entered into or is now a party to any contracts or agreements with any persons, firms, or corporations, other than those specifically mentioned in Interrogatories 11 to and including 16 under the terms of which such persons, firms, or corporations furnish news, features, pictures, comics, or other material for publication in the Washington Times-Herald.

18. If the answer to Interrogatory 17 is in the affirmative, set forth in detail the terms of all of said contracts or [fol. 1065] agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

19. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun is the owner in whole or in part of the capital stock of "Chicago Sun Syndicate, Inc.," an Illinois corporation.

20. If the answer to Interrogatory 19 is in the affirmative, state whether Chicago Sun Syndicate, Inc., is engaged in the business of selling or otherwise furnishing news, features, pictures, comics, or other material for publication in newspapers.

21. If the answer to Interrogatory 20 is in the affirmative, state

(a) the names of all newspapers, foreign and domestic, to which said Chicago Sun Syndicate, Inc., has, during the period from December 1, 1941, to date, furnished such news, features, pictures, comics, or other material;

(b) with respect to each such newspaper, whether it was furnished news, features, pictures, comics, or other material;

(c) with respect to each newspaper furnished news, whether such news was local news, Washington news, domestic news other than local or Washington news, or foreign news;

(d) whether said Syndicate has entered into any agreements or understandings of any nature whatsoever with any such newspaper that the service, whether news, features, pictures, comics, or other material, would be in any manner whatsoever or to any extent whatsoever exclusively furnished to such newspaper [fol. 1066] within the locality or any part thereof wherein such newspaper was published.

22. If the answer to Interrogatory 21, sub-paragraph (d) is in the affirmative, set forth in detail the terms of all such agreements or understandings, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

23. State whether Marshall Field, The Chicago Sun, or the Chicago Sun Syndicate, Inc., publishes or owns in whole or in part the firm or corporation which publishes "Parade —The Weekly Picture Newspaper."

24. If the answer to Interrogatory 23 is in the affirmative, state the names of all newspapers which, during the period December 1, 1941, to date, have been furnished or sold copies of said "Parade."

25. If the answer to Interrogatory 23 is in the affirmative, state whether contracts or agreements have been entered into by the publisher of "Parade" or any one acting in his behalf for the sale of "Parade" to any persons, firms, or corporations.

26. If the answer to Interrogatory 25 is in the affirmative, give the dates of all such contracts, the parties thereto, and the terms thereof, including any modifications thereof.

27. State whether any officials, employees, or representatives of the Department of Justice of the United States, or of the Federal Bureau of Investigation thereof, called

upon or interviewed, during the months of January, February, March, and April, 1942, any members of The Associated Press.

28. If the answer to Interrogatory 27 is in the affirmative, state

[fol. 1067] (a) the names of all such officials, employees, or representatives who saw, called upon, or interviewed members of The Associated Press;

(b) the names of the members called upon and interviewed by each such official, employee, or representative;

(c) the date of each such interview or call;

(d) if each such official, employee, or representative inquired of any such members whether the member had received a form of proxy from the Chicago Tribune or from any one representing the Chicago Tribune to vote against the election of Marshall Field at the annual meeting of members of The Associated Press to be held in April, 1942, or whether each such official, employee, or representative otherwise discussed or inquired about such election; and

(e) if each such official, employee, or representative inquired of any such members whether the member had received a form of proxy from the Washington Post, the Washington Evening Star, or the Washington Sunday Star, or from any representative of said newspapers, to vote against the election of Eleanor Medill Patterson to be held in April, 1942, or whether each such official, employee, or representative otherwise discussed or inquired about such election.

29. If the answer to Interrogatory 27 is in the affirmative, state whether any of such officials, employees, or representatives made any written report of his call or interview.

30. If the answer to Interrogatory 29 is in the affirmative, describe such written reports in such manner as to permit them to be designated.

31. State whether Exhibit 1, hereto attached and made a part hereof, is a correct copy of a letter sent by Marshall

[fol. 1068] Field to Kent Cooper, General Manager of The Associated Press, under date of October 24, 1941.

32. State whether Exhibit 2, hereto attached and made a part hereof, is a correct copy of the document enclosed in the letter of Marshall Field referred to in Interrogatory 31.

33. State whether Marshall Field solicited proxies on behalf of his application for membership in The Associated Press.

34. If the answer to Interrogatory 33 is in the affirmative, state all the names of the members of The Associated Press or of the newspapers represented by such members from whom Marshall Field solicited proxies.

35. State whether any proxies were given as a result of the solicitation for proxies by said Marshall Field or by any one acting for or in behalf of said Marshall Field, and if so state who gave such proxies and to whom.

36. State whether Sillman Evans voted a total of 120 proxies in behalf of the application of Marshall Field for election to membership in The Associated Press at the 1942 annual meeting of members of said Association.

37. State the names of the several newspapers which have paid or offered to pay $250,000 or more to obtain membership in The Associated Press, referred to in paragraph 76 of the Complaint herein.

38. State whether the linotype machines, presses, and other equipment used in the printing of The Chicago Sun are owned by Marshall Field or The Chicago Sun.

39. If the answer to Interrogatory 38 is in the negative, state whether such linotype machines, presses, and other equipment are owned by The Chicago Daily News.

[fols. 1069-1071] 40. If the answer to Interrogatory 39 is in the affirmative, set forth in detail the terms of all contracts, agreements, or leases under which The Chicago Sun has used and now uses said equipment, including the dates upon which they were made, the parties thereto, and the nature and dates of any modifications thereof.

Milbank, Tweed & Hope, Attorneys for The Associated Press, *et al.*

Exhibit 1 omitted. See Exhibit 32, printed side page 373, ante.

[fols. 1072-1074] Exhibit 2 omitted. See Exhibit 33, printed side page 376, ante.

[fol. 1075] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

ANSWERS OF THE PLAINTIFF, UNITED STATES OF AMERICA, TO THE INTERROGATORIES ADDRESSED TO IT BY THE DEFENDANT THE ASSOCIATED PRESS

1. On April 9, 1940, Mrs. Mabel Walker Willebrandt, as counsel for Mrs. Eleanor Medill Patterson, publisher of the Washington Times-Herald, orally stated to Thurman Arnold, former Assistant Attorney General, at a conference requested by Mrs. Willebrandt that Mrs. Patterson was or would be or might be unable to obtain membership in The Associated Press. On November 22, 1940, Mrs. Patterson and Mrs. Willebrandt orally stated to Mr. Arnold at a conference in his office that Mrs. Patterson was or would be or might be unable to obtain membership in The Associated Press.

2. On October 31, 1941, Louis S. Weiss, as counsel for Marshall Field, orally stated to the Attorney General at a conference in his office that Marshall Field apparently would be unable to obtain membership in The Associated Press. On January 30, 1942, Marshall Field, accompanied by his counsel, Louis S. Weiss and Donald Richberg, orally [fol. 1076] stated to the Attorney General at a conference in his office that Marshall Field had been unable to obtain membership in The Associated Press. Exhibit No. 1, annexed hereto and made a part hereof, is a correct copy of a letter dated February 5, 1942, from Marshall Field to the Attorney General making a complaint against The Associated Press based upon the fact that Marshall Field had been unable to obtain membership therein.

3. When the plaintiff received the interrogatories addressed to it by the defendant The Associated Press it was

without knowledge or information sufficient to enable it to answer Interrogatories Nos. 3 to 10, inclusive, 19 to 26, inclusive, 33 to 36, inclusive, and 38 to 40, inclusive, relating to the business of Marshall Field, The Chicago Sun, or the Chicago Sun Syndicate, Inc., or relating to proxies solicited, obtained or voted on behalf of Marshall Field's application for membership in The Associated Press.

Exhibit No. 2-A, annexed hereto and made a part hereof, is a correct copy of a letter dated April 5, 1943, from Tom C. Clark, Assistant Attorney General, to Louis S. Weiss, counsel for Marshall Field, requesting that the information called for by the interrogatories referred to above be furnished to the plaintiff. Exhibit No. 2-B, annexed hereto and made a part hereof, is a correct copy of the enclosure referred to in said letter.

Exhibits Nos. 3-A and 3-B, annexed hereto and made a part hereof, are correct copies, respectively, of a letter from Louis S. Weiss to Tom C. Clark dated April 14, 1943, and of the memorandum enclosed in said letter. The copies of contracts and lists annexed to said memorandum are annexed to and form a part of Exhibit No. 3-B.

The plaintiff believes that the information furnished by Exhibits Nos. 3-A and 3-B is accurate.

4. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 4 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

[fol. 1077] 5. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 5 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

6. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 6 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

7. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 7 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

8. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 8 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

9. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 9 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

10. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 10 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

11. When the plaintiff received the interrogatories addressed to it by the defendant The Associated Press it was without knowledge or information sufficient to enable it to answer Interrogatories Nos. 11 to 18, inclusive, relating to the business of Mrs. Eleanor Medill Patterson or the Washington Times-Herald.

Exhibit No. 4-A, annexed hereto and made a part hereof, is a correct copy of a letter dated April 5, 1943, from Tom C. Clark, Assistant Attorney General, to Mrs. Eleanor Medill Patterson requesting that the information called for by the interrogatories referred to above be furnished to the plaintiff. Exhibit No. 4-B, annexed hereto and made a part hereof, is a correct copy of the enclosure referred to in said [fol. 1078] letter. The plaintiff has not received any reply to said letter of April 5, 1943.

The plaintiff is without knowledge or information sufficient to answer Interrogatory No. 11, except that United Press Associations has informed the plaintiff that it was, as of August 1, 1942, furnishing certain news reports for publication in both the morning and the evening editions of the Washington Times-Herald and except that the plaintiff is informed that Editor & Publisher 1942 and 1943 International Year Books list the Washington Times-Herald as receiving some service from United Press Associations.

12. The answer to Interrogatory No. 11 applies in all respects to Interrogatory No. 12. The plaintiff adopts as its answer thereto the answer to Interrogatory No. 11.

13. Exhibit No. 5, annexed hereto and made a part hereof, is a correct copy of a document furnished to the plaintiff in 1942 by a representative of International News Service. The plaintiff was informed by said representative that said document was a correct copy of the contract then in effect under which International News Service supplied certain news reports for publication in the Washington Times-Herald. The plaintiff is otherwise without knowledge or information sufficient to answer Interrogatory No. 13, except that the plaintiff is informed that Editor & Publisher 1942 and 1943 International Year Books list the Washington Times-Herald as receiving some service from International News Service.

14. The answer to Interrogatory No. 13 applies in all respects to Interrogatory No. 14 and the plaintiff adopts as its answer thereto the answer to Interrogatory No. 13.

15. The plaintiff is without knowledge or information sufficient to answer Interrogatory No. 15, except that the plaintiff is informed that Editor & Publisher 1943 International Year Book lists the Washington Times-Herald as [fol. 1079] receiving some service from the Chicago Tribune-New York News Syndicate, Inc.

16. The answer to Interrogatory No. 15 applies in all respects to Interrogatory No. 16 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 15.

17. The plaintiff is without knowledge or information sufficient to answer Interrogatory No. 17, except that the plaintiff has been advised by Reuters Limited, that in 1942 it furnished certain news service to the Washington Times-Herald and except that the plaintiff is informed that Editor & Publisher 1942 and 1943 International Year Books list the Washington Times-Herald as receiving some service from Reuters Limited, and its 1942 International Year Book lists the Washington Times-Herald as receiving some news service from the Chicago Tribune.

18. The answer to Interrogatory No. 17 applies in all respects to Interrogatory No. 18 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 17.

19. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 19 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

20. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 20 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

21. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 21 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

22. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 22 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

[fol. 1080] 23. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 23 and the plaintiff

adopts as its answer thereto its answer to Interrogatory No. 3.

24. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 24 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

25. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 25 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

26. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 26 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

27. During the month of March 1942 employees of the Federal Bureau of Investigation called upon or interviewed officers or employees of certain members of The Associated Press.

28. Exhibit No. 6, annexed hereto and made a part hereof, states (a) the names of the employees of the Federal Bureau of Investigation who, during the months of January, February, March, or April, 1942, called upon or interviewed officers or employees of members of The Associated Press; (b) the names of such officers or employees called upon or interviewed by each employee of the Federal Bureau of Investigation; and (c) the date (or, where the files of the plaintiff do not disclose the exact date, the approximate date) of each such interview or call.

(d) In each interview referred to in Exhibit No. 6, except those with Robert R. McCormick and Robert W. Slocum, the employee of the Federal Bureau of Investigation inquired whether the member had received a form of proxy from, or had been solicited by, the Chicago Tribune or a representative thereof to vote against the election of [fol. 1081] Marshall Field to membership in The Associated Press and in the course of the interviews other matters relating in some degree to such election, such as the rules of The Associated Press governing the admission of members and the fact that in most cases the member had received a letter from Marshall Field requesting proxies in support of his application for membership in The Associated Press, were discussed.

(e) In none of the interviews referred to in Exhibit No. 6 did the employee of the Federal Bureau of Investigation

inquire whether the member had received a form of proxy from the Washington Post, the Washington Evening Star, or the Washington Sunday Star, or any representative thereof, to vote against the election of Eleanor Medill Patterson to membership in The Associated Press, or otherwise discuss or inquire about such election.

At the time that Thurman Arnold, former Assistant Attorney General, requested that employees of the Federal Bureau of Investigation interview certain members of The Associated Press or their representatives, he was informed that the Chicago Tribune was engaging, or was about to engage, in a campaign to solicit votes against the election of Marshall Field to membership in The Associated Press. Thurman Arnold then had no information or reason to believe that the Washington Post, the Washington Evening Star, or the Washington Sunday Star or any representative thereof was soliciting, or was contemplating soliciting, votes against the election of Mrs. Eleanor Medill Patterson to membership in The Associated Press. He requested that the employees of the Federal Bureau of Investigation interview certain members of The Associated Press or their representatives and inquire as to the character of the solicitation of votes by the Chicago Tribune or its representatives. He did not request any inquiry as to how the members so solicted would or might vote, or give proxies, for or against election of Marshall Field to membership in The [fol. 1082] Associated Press and he did not request any inquiry as to solicitation of votes or proxies by the Washington Post, the Washington Evening Star, or the Washington Sunday Star against the election of Eleanor Medill Patterson to membership in The Associated Press.

29. Various employees of the Federal Bureau of Investigation made written reports of the interviews or calls referred to in Exhibit No. 6.

30. Exhibit No. 7, annexed hereto and made a part hereof, describes the written reports referred to in Interrogatory No. 29, in such manner as to permit them to be designated.

31. Exhibit 1, attached to the interrogatories addressed to the plaintiff by the defendant The Associated Press, is a correct copy of a letter sent by Marshall Field to Kent Cooper, General Manager of The Associated Press, under date of October 24, 1941.

32. Exhibit 2, attached to the interrogatories addressed to the plaintiff by the defendant The Associated Press, is a correct copy of the document enclosed in the letter from Marshall Field referred to in Interrogatory No. 31.

33. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 33 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

34. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 34 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

35. The Answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 35 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

[fol. 1083] 36. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 36 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

37. Plaintiff believes that the owners of the following newspapers have paid or offered to pay $250,000 or more to obtain membership in The Associated Press:

Marshall Field, as owner of The Chicago Sun.
News Syndicate Co., Inc., as owner of the New York News
Illinois Printing & Publishing Co., as owner of the Chicago Herald-Examiner
Frank Munsey, as owner or beneficial owner of the New York Sun
Eugene Meyer & Co., as owner or purchaser of The Washington Post.

The plaintiff believes that the owners of numerous other newspapers have paid or offered to pay $250,000 or more to obtain membership in The Associated Press. One of the grounds for such belief is the following statement in the report of the Special Committee on Revision of the By-Laws appointed in 1941 by the President of The Associated Press:

> In metropolitan centers Associated Press memberships were often carried on the books of member newspapers at values upwards of a million dollars; and in

the early twenties, transfers of such memberships were made upon considerations well into the hundreds of thousands.

A further ground for said belief is the following statement made by S. E. Thomason, publisher of the Chicago Times, at the annual meeting of members of The Associated Press in April 1941:

[fol. 1084] I think there is nobody here who is not cognizant of the fact that his Associated Press franchise is probably worth, with good measure, ten per cent today of what it was twenty years ago, on the market; and I think the reason for that certainly is not to be found in the service of the Associated Press, because the service of the Associated Press, under its management, has unquestionably greatly improved.

I know; I had experience at a time when an Associated Press franchise in the city of Chicago was worth a million dollars. There was no question about it: properties were transferred on that basis.

38. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 38 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

39. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 38 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

40. The answer to Interrogatory No. 3 applies in all respects to Interrogatory No. 40 and the plaintiff adopts as its answer thereto its answer to Interrogatory No. 3.

[fol. 1085] *Duly sworn to by John Henry Lewin. Jurat omitted in printing.*

[fol. 1086] EXHIBIT No. 1

Two Fifty Park Avenue

New York

February 5, 1942.

Hon. Francis Biddle,
Attorney General of the United States,
Department of Justice,
Washington, D. C.

DEAR MR. ATTORNEY GENERAL:

I am hereby making a written statement of my complaint against the Associated Press, a membership corporation organized and existing under the laws of the State of New York. I am advised by counsel that, as the Associated Press is now constituted and functioning, it is engaged in a combination and conspiracy in restraint of trade and commerce among the United States and with foreign nations in violation of the laws of the United States.

I am the founder and owner of The Chicago Sun, a daily newspaper published every morning and on Sundays, circulating in Chicago and the vicinity.

The Sun was established in fulfillment of a long felt want of the people of Chicago who have for years voiced their demand for a first class metropolitan morning newspaper, dedicated to the search for truth, liberal and humane in its outlook, and loyal to the American spirit and to American institutions. My purpose has been and is to satisfy that demand. When I announced the publication of the paper, I specifically promised the people of Chicago that it would be in all respects a standard and complete newspaper. Moreover, the first editorial gave assurances to the citizens of the Midwest that they might look to the Sun to furnish "that full and factual report without which no American would wish to formulate judgments affecting his own, his children's and the nation's future". In the [fol. 1087] circumstances, not only my general purpose but my specific commitment requires that I give the readers of The Sun the fullest report of events that modern and effective newsgathering facilities can supply.

The Sun cannot fulfill its obligations to the public without the unique service afforded by the Associated Press (known throughout the world as "AP"). The paper has,

I understand, already achieved a circulation which makes it one of the ten largest morning papers in America. Despite this fact, I have been advised that it is the only standard morning paper in the United States circulating in a city of more than 100,000 population which does not have the services of the AP. In these circumstances it is vital that such services be made available to The Sun at the earliest practicable moment. Not only have I recognized that fact since the paper was first projected, but that is the conclusion of every responsible newspaperman with whom I have discussed the matter.

As will appear in greater detail below, I have sought membership in the AP. I have been blocked in obtaining that membership because of the provisions of the AP by-laws, under which a single newspaper with an AP membership is in a position to obstruct the rendition of AP services to a competitor. It thus appears that in 1942 a responsible citizen of the United States, desiring to bring to his fellow-citizens the news of the world, creates his newspaper at peril if another newspaper with an AP membership happens to have preceded him in the field. Particularly now, when the war has created an almost unlimited demand for news, this is an intolerable situation alike for me and for the citizens of this country.

I lay these facts before you in some detail in order that you may determine whether the public interest does not require that appropriate proceedings be brought against AP under the applicable statutes to the end that its unique services shall be thrown open to all newspapers in the country who are ready, able and willing, as I am, to assume the burdens and responsibilities of membership.

[fol. 1088] I

In order to understand the difficulty of establishing a first rate newspaper without AP facilities, it is necessary to consider the unique and exclusive facilities of that organization as a news-gathering agency.

1. From all corners of the world, news is transmitted to the American offices of AP. From those offices, after editing by employees of AP, it is distributed to members through a net-work of leased wires extending throughout the United States and foreign countries.

The news—whether news articles or photographic news—is obtained from the following sources:

(a) From the staff of news reporters and newsgatherers maintained by AP in the United States and in foreign countries.

(b) Through exchange agreements made with newsgathering agencies and associations in foreign countries.

(c) From member newspapers, each of which is required by the contract of membership to furnish to AP *exclusively* all news of spontaneous origin arising within the locality which the member serves.

This requirement alone—that all member newspapers must furnish exclusively to AP the news from their localities—renders its service unique and irreplaceable. The member newspapers, some 1,400 in number, constitute approximately three-fifths of the total newspapers published in the United States. Included are substantially all of the leading newspapers. This feature of AP cannot, in the nature of things, be duplicated.

2. The impossibility of obtaining a substitute for the facilities of AP is well shown by its own statements (with its own italics) of what those facilities are:

[fol. 1089] "• • • A news report of 1,000,000 words every 24 hours • • • larger than the combined daily reports of *all other American news agencies combined.*"

"• • • a staff of 7,200, augmented by the staffs of member newspapers and affiliated news services in foreign countries, • • • a total of approximately 100,000 men and women contributing, directly or indirectly, to each day's effort • • • a staff many times larger than the staffs of *all other American news agencies combined.*"

"• • • 290,000 miles of leased news wires in this country alone • • • a network larger than the network of *all other American news agencies combined.*"

"• • • operating the only state-by-state news circuits in existence • • • circuits that carry more

state and regional news daily than *all other American news agencies combined.*"

"• • • 100 news bureaus in this country alone • • • offices in more than 250 cities over the world • • • more regularly established news connections by cities than *all other American news agencies combined.*"

"• • • an annual budget of approximately $12,000,000 • • • every penny spent for the actual gathering and distribution of world news • • • a news budget larger than the news *budgets of all other American news agencies combined.*"

"• • • leased news wires connecting 727 domestic cities • • • a larger representation of cities than *all other American news agencies combined.*"

"• • • Its Washington staff of approximately 150 is the largest corps of news men ever assembled under one roof for the exclusive job of reporting governmental affairs. This group includes a special regional staff representing each state and reporting by [fol. 1090] wire all news of regional interest with thoroughness and speed • • • the only staff of its kind anywhere."

"• • • The biggest financial news department in the world: 200 writers, editors and statisticians in New York, Washington, Chicago, San Francisco and foreign capitols • • • no juniors, no inexperienced trainees; all stories are by writers who are recognized authorities."

"• • • War news: AP, controlling the only leased news cable in the world, occupies a top position in handling the reports of its 2500 correspondents abroad."

"• • • Farm news: One segment of the staff specializes in farm news. These writers work under the general supervision of a farm editor with headquarters in Chicago • • • still others in Washington are particularly concerned with farm legislation and allied farm subjects as they develop in the nation's capitol."

"* * * Science News: The AP report carries the daily stories of * * * its present-day corps of science specialists * * * all expert in their field."

(The foregoing statements are taken from a recent advertising pamphlet published by AP, transmitted herewith as Exhibit 1.)

"The news photo operations of the Associated Press, first begun in 1927, today are by far the most extensive of any in existence. It has the only network of news photo wire transmission, regularly maintained and trans-continental in character, in the world." (Extract from statement of Kent Cooper made at the time of the purchase of Wide World Photos, Inc. from the New York Times, July 26, 1941.)

[fol. 1091] The AP has recently stated that an "impartial survey of *all* coverage for the past year showed that AP was ahead on 82% of all important news events."

In addition to those already enumerated there are numerous other features including comics, women's news, fashion news, stage and screen news, which are supplied through AP or its wholly owned subsidiaries.

II

Although The Chicago Sun has been published for just two months, its experience illustrates the difficulties encountered by a newspaper operating without AP facilities.

1. I have attempted to furnish substitutes for some of the more important services that would come to the Sun as a matter of course if it were an AP newspaper. The cost of these substitutes, according to our best estimates, adds enormously to the expense of getting out the Sun. Computed on an annual basis this cost is greatly in excess of the annual assessment of an AP newspaper conducting a comparable publication. Moreover, the services furnished by such substitute facilities cannot in the nature of things represent coverage as efficient as that which would be received if the Sun were an AP member. Accordingly, without AP service the Sun is at a serious competitive disadvantage in the Chicago field and incurs as a result great indirect losses that are obviously incalculable.

2. Although it is manifestly impossible to recite or even to know in detail all of the expenses and disadvantages oc-

casioned to the Sun by reason of the lack of AP membership, the following constitute a few of the burdens which the Sun has been carrying:

(a) *As to news.*

1. In the present war period the Sun has encountered repeated instances in which it has been at a disadvantage [fol. 1092] in the matter of news reports coming to it from the war areas. In the nature of things at a time of world crisis, every facility which forwards the rapid dissemination of news is essential for a standard newspaper. The Government itself has felt this need and is cooperating with the regular press services to assist them in giving information to the country, not only in connection with direct war reporting, but also in connection with its manifold other activities affected by the war. The AP, being the largest of these services, is in daily touch on a hundred fronts with the various departments and bureaus of the Government. The Sun, however, handicapped, as I have said, in the matter of direct news reports from the war areas, is also deprived of that avenue of cooperation with the Government which it would have if the services of AP were at its disposal.

2. The Sun's difficulties are not confined to the reporting of the war. In national news alone the lack of Associated Press facilities has caused the Sun's Washington office to detail perhaps ten men to tasks made necessary by that lack—men who, if the newspaper had the same AP privileges as its competitors, could be given other assignments. In other offices throughout the country extra personnel, made necessary by the absence of AP facilities, has had to be employed.

3. In the area around Chicago, owing to the insufficiency of outside news services, the Sun has been forced, at heavy expense, to maintain its own correspondents. Since many of these are part-time men, who have to attend first to their own principal occupations, they do not report with the same promptness and regularity as do full time reporters. Material accordingly comes in late, making for a congestion of work at the copy desk and in the composing room prior to the first edition of the Sun, thereby causing substantial increased mechanical costs.

The absence of appropriate local news services is of peculiar importance at this time and will become of greater [fol. 1093] importance in the next months. There will occur in Illinois this year an important senatorial election. In order to inform the citizens of Illinois as to the issues and developments during the campaign, county by county coverage is a necessity. In its present situation, the Sun is and will continue to be under the gravest handicap in providing that information to its readers.

4. In the absence of any adequate type of business report comparable to that furnished by AP, the Sun has been forced to spend several hundred dollars a week merely on business information and news.

5. The coverage of sporting events has presented a special problem. The bowl football games at New Orleans, Durham, Miami, and Dallas have had to be handled by the Sun by special assignment, although members of the AP received news of these events as a matter of course. So have such other sporting events as the Open Golf Tournament at Los Angeles, the recent All Star Professional Football Game in New York, and various hockey games. As a matter of routine the Sun has been forced to maintain correspondents at flat weekly rates at all of the Big Ten colleges because of inadequate coverage of sporting news at those colleges by the services presently available to the Sun.

6. The handling of specialized news has proved to be a matter of the utmost difficulty to the Sun because of the lack of coverage in these fields by the competing services. Full texts of speeches and public reports available to AP members do not reach the Sun through the news services which are at its disposal. It is without special science and aviation reports such as are supplied to AP members. It cannot have the quantity and quality of farm news supplied to AP members, although its location in the capital of the farm country makes this a matter of decisive importance. Though the lack of adequate coverage of election returns has not yet become a factor important to the Sun, it is [fol. 1094] clear that the lack of the highly specialized and unique AP service in this regard will become a matter of vital consequence during the course of this and subsequent years.

The foregoing general statements indicate some of the difficulties under which the Sun has been laboring up to

this time. To these may be added a few specific instances in which stories, coming in as a matter of routine to members of the AP, were not available to the Sun until after they had been made available to its competitors.

Secretary Wickard announced some time ago that the price of corn was too high. This was news of vital importance in the Chicago area. It was followed the next day by a five-cent drop in the price of corn on the Chicago Board of Trade. The Secretary's statement sent out by AP was not then available to the Sun.

The AP had an eye-witness story of the sinking of the battleship "Barham." The Sun obtained coverage—inferior coverage—only after several editions had appeared.

A recent lynching in Missouri produced the same result.

A radio interview was arranged, through the good offices of the Army, involving a trans-Atlantic talk between the first American soldier to land in Ireland and his fiancee in Minnesota. The Sun did not receive this story—important for morale and helpful in fostering international good will—until it had gone to the expense of making its own investigation after seeing the story in other papers.

The complete text of the recent Roberts report on Pearl Harbor—a report for which the whole country was waiting—was furnished to the Sun only in excerpt by the news services available to it.

(b) *As to photographic news.*

Increasingly important to a modern newspaper are the photographic services; these are today a source of news [fol. 1095] scarcely less important than the ordinary news reports. In this field AP, with its Wirephoto Service, is pre-eminent. Prior to July, 1941, Wide World Photos, Inc. served newspapers and others not members of the AP with photographs, but in or about July, 1941, AP purchased Wide World Photos, Inc. and the competition of that company has now been suppressed since it has ceased to renew its old contracts or to make new contracts for supplying photographs to its former patrons. Other photographic services are beyond the reach of the Sun, since they have made exclusive regional contracts with competing newspapers. Every effort has been made to secure for the Sun either the services of International or of Acme. The first was found to be unavailable because of outstanding con-

tracts; the second was committed by exclusive contract to the Chicago Tribune which definitively refused to share the Acme services with the Sun. As a consequence, we have been especially hampered in the matter of photographs and at the present time are threatened with additional difficulties in this regard because of arrangements now pending between the Army and Navy and the principal suppliers of photographic services.

I enumerate some of the grave handicaps which the Sun has faced and still faces with respect to photographic news:

1. At a cost of close to $1,000 a week, the Sun has had to maintain a Washington photographic bureau to supply it with news pictures as well as official Army and Navy releases. The Army and Navy releases come to the Sun only after the existing news picture services have been supplied.

2. The Sun has been forced to maintain, at its own expense, photo transmission equipment in the major news centers of this country, such as New York, Boston, San Francisco, Los Angeles, Kansas City, Seattle, Texas, New Orleans and Nashville. When news stories break in localities outside of these immediate areas, the Sun must incur additional expense to obtain photographic coverage.

[fol. 1096] 3. There has been proposed by the Army and Navy a plan for a photographic pool to handle war pictures. This plan is not as yet in full operation. AP, International Photos, Acme and Life have been invited to be members of this pool. To the pool each member will supply the same number of photographers. These photographers will be accredited as war correspondent-photographers by the Army and Navy and will be the sole photographers sent wherever action photographs are available. Under the plan, the photographs made by any pool photographer will be returned to the United States for censorship, and after censorship will be available to each member of the pool. The AP will furnish these photographs to all of its present members as one of the incidents of membership. Even if the Sun, which cannot at this time obtain photographic service either from the AP or from International Photos or from Acme, should be permitted to join the pool, a matter which has not yet been clarified—it would have to provide, as a condition to its membership in the pool, photographers in undetermined numbers but in any event as many as each

of the other pool members. As a result the Sun would be required, alone, to bear an expense equal to that borne by the AP and the other photographic services.

4. Specific instances in the last few weeks, in which the public was entitled to photographic news and the Sun has been at a disadvantage in supplying such news, have been the following:

On Mr. Churchill's recent trip to Canada, the Sun would have been completely without coverage had it not sent a photographer and transmission equipment to Ottawa.

On the crash of the air liner carrying Carole Lombard, the Sun was forced to send a special photographer from Los Angeles to Las Vegas. In this case, as in the Churchill case, the additional cost to the Sun amounted to several hundred dollars.

[fol. 1097] To cover the story of the torpedoing of freighters and tankers off the east coast, the Sun sent its own correspondent and photographer to Norfolk, Virginia, for pictures and stories of the survivors.

On major sporting events, the Sun has repeatedly had to supply its own photographs, at substantial expense.

(c) *As to features.*

The incidental services in the nature of feature services supplied by the AP to its members have large importance in the daily conduct of a newspaper. The AP accords to its members as a matter of routine such vital things as basic maps, background and morgue material. The Sun must provide most of these for itself. As an instance of the difficulties under which it labors, it has been compelled to make an agreement with another newspaper for some of this material. Even that agreement, however, is subject to the limitation that the other newspaper may not make available to the Sun whatever part of the material comes to it from AP or to which AP is exclusively entitled.

The disadvantages of a newspaper unable to obtain AP coverage were never greater than at this time, with news so poignantly important in so many different areas in this country and elsewhere throughout the world. I have been aware of these disadvantages since the Sun was first established. I am continuously kept aware of them by the readers of the Sun. Inquiry is constantly made as to why the

Sun is without AP services. That indeed has constituted one of the principal criticisms of the paper made by its readers.

III

The by-laws of the AP prevent the furnishing of its news service to non-member newspapers (although such service may be and is supplied regularly to all radio stations, since [fol. 1098] these are not in direct competition with AP newspapers). Membership is confined to the owners of newspapers, but, as the by-laws are now drawn, persons establishing new newspapers may be blocked in their efforts to acquire membership by the arbitrary action and selfish purposes of their competitors.

1. The by-laws of AP (a copy of which (25th Ed., April 21, 1941) is transmitted herewith as Exhibit 2) must be assented to by every member of the corporation. They are expressly declared (Article III, Sec. 4) to constitute a contract between the members and the corporation.

2. The contract of membership set forth in the by-laws by its terms permits members of AP to limit the number of newspapers that may have access to its unique facilities and thus to place formidable and intolerable obstacles in the path of one who wishes to start a new competitive newspaper.

If a person purchases the assets of a newspaper, the owner of which is a member of AP, the purchaser becomes automatically entitled to AP membership by virtue of such purchase. In such a case, there are no provisions regarding his eligibility. A person purchasing an AP newspaper must, regardless of character or responsibility, be admitted to membership (By-laws, Article III, Secs. 2, 3).

If, on the other hand, a person has not purchased an AP newspaper, he is largely at the mercy of the newspapers with which he must compete. The by-laws provide that he must apply for AP membership. His application may be passed on either (a) by the board of directors or (b) by the members. The board of directors may act only if the veto power against an applicant is waived (by-laws, Article III, Sec. 2). This veto power—called the "right of protest"—is the right possessed by member newspapers with whom the new newspaper will compete (By-laws, Article III, Sec. 7). If the right of protest is not waived, then all consid-

eration of the application is postponed to the next meeting [fol. 1099] of the members of AP and unless the applicant for admission receives the vote of four-fifths of those present at such meeting of members, he will be denied membership.

3. The AP's policy of protecting its members from the competition of new members has been well expressed by Mr. Kent Cooper, vice-president and general manager of AP. In reporting to the board of directors of AP on April 1, 1933, upon the necessity for retrenchment of expenses, he stated:

> "Coupled with this effort we have sought to increase the membership in fields where the recruiting need not *infringe upon the home territories of existing members*, that the costs might be more widely proportioned." (Italics ours)

He added:

> "The whole theory of mutual cooperation in news collection, wherein the members exchange their news, works best by having direct reciprocal access to the news of any community large enough to support an AP newspaper. *Moreover, the larger the number of participants in a truly cooperative endeavor, the smaller the pro rata expense to each.*" (Italics ours)

The financial savings that would result from increased membership have been subordinated to the interest of newspapers desiring to be secure from competition in their particular territories. In practice, during the long life of AP, few persons have succeeded in obtaining membership where members exercised—by refusal to waive—their right of protest.

IV

In order to obtain the use of the facilities of AP, I applied on September 26, 1941 for admission to membership. I am [fol. 1100] informed that the application came before the board of directors of AP and that then and there the owner of the principal competing newspaper in the Chicago area expressly protested against consideration of my application and stood on his right of protest. Thereafter and on October 2, 1941, the receipt of my application was acknowl-

edged in a letter from Lloyd Stratton, Assistant Secretary, to Mr. Silliman Evans, the publisher of the Sun, in which he said:

> "The board (of directors of the Associated Press) received the application but upon inquiry learned that membership interests of other Chicago members were involved. There being no waivers of those interests attached to the application, the board found that under the by-laws, it did not have the authority to act, and therefore the application must be referred to the next annual meeting of the membership, which will be held on April 20, 1942, in New York City, New York."

On October 24, 1941, I wrote Mr. Kent Cooper, vice-president and general manager of AP, calling to his attention the serious consequences of delay, and referring to the fact that there were no assurances that I could be elected even in April. I notified him that "when I announced the publication of this paper, I led the people of Chicago to believe that it would be in all respects a standard and complete newspaper; my performance cannot and must not fall short of my promise." I told him that lacking assurances of AP service, "I cannot at the outset or at any time assure my readers that in due course the paper will have the benefit of all the standard press services available to other papers."

Since the dispatch of my letter of October 24, 1941, there have been conferences between representatives of the Sun and various officers of AP. Those conferences have proved entirely fruitless. It has been suggested to me that I seek an AP morning membership in Chicago by the purchase of [fol. 1101] the Hearst morning membership in that City. In good faith I made a generous cash offer to that end, but those negotiations have completely failed, although that membership is not now used on week-days and I was willing to share its use on Sunday with the Hearst interests. It has also been suggested to me that I await the April meeting of the members of AP in order to ascertain whether or not I would be elected to membership. I find no reason or justification for so waiting in view of the history of other applicants for membership who have sought election at the meetings of members.

Certain officers of AP have suggested to me that at the meeting of members to be held in April, 1942 efforts will be made to liberalize the by-laws in order to facilitate the

election of new members. They have been unwilling, however, and in the nature of things they cannot, give me assurance either that the by-laws will be so liberalized at that time or that, if liberalized, further delays will not be occasioned, at the instance of competitors, to my then becoming a member.

In the light of the foregoing, I have concluded that I must invoke the processes of the law in order to obtain for the Sun the facilities of the Associated Press.

V

Under its by-laws as they are now written, the structure of the Associated Press is inconsistent with wholehearted service to the public. Since newspapers unable to obtain membership are subjected to almost insuperable obstacles in the way of competition, the placing in the hands of competitors of the power to hamper or prevent new newspapers from obtaining this service in effect permits existing member newspapers to determine what and how many new publications shall come effectively into the newspaper field.

Vicious as restraints in other fields may be, a restraint upon the publication of new newspapers strikes peculiarly [fol. 1102] at fundamental American conceptions. Freedom of the press can have its full fruition only if new persons, with fresh points of view, can become the publishers of newspapers and compete effectively with existing newspapers. The public policy of the United States cannot tolerate that a few men shall dictate the number or the personality of those who supply the materials for thought and action to Americans.

Respectfully yours, (S.) Marshall Field.

[fol. 1103] EXHIBIT No. 2-A

Department of Justice
Washington, D. C.

April 5, 1943.

Louis S. Weiss, Esquire, Cohen, Cole, Weiss & Wharton, 61 Broadway, New York, New York.

Re: *United States* v. *The Associated Press, et al.*

DEAR SIR:

On Saturday, April 3, the Government was served by The Associated Press with a number of interrogatories, responses to which must be filed on or before April 19, 1943. A number of these interrogatories relate to the business of Mr. Marshall Field, The Chicago Sun, and the Chicago Sun Syndicate, Inc. A copy of these interrogatories is herewith enclosed.

It will be appreciated if you would make the information called for by these interrogatories available to this office at your earliest convenience. We should like to have at least five copies of the information submitted, including the contracts called for. Will you advise us whether or to what extent you will furnish this information and the approximate date we may expect to receive it.

Very truly yours, Tom C. Clark, Assistant Attorney General.

Enc. No. 917997.

[fol. 1104] EXHIBIT No. 2-B

Interrogatories Relating to the Business of Mr. Marshall Field, The Chicago Sun, and the Chicago Sun Syndicate, Inc., Served upon the Government by the Associated Press on April 3, 1943

3. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun has, during the period July 1, 1941, to date, entered into any contracts or agreements with United Press Associations under which United Press Associations agrees to furnish its news service for publication in The Chicago Sun.

4. If the answer to Interrogatory 3 is in the affirmative, set forth in detail the terms of each of said contracts or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

5. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun has, during the period July 1, 1941, to date, entered into any contracts or agreements with New York Herald-Tribune News Service, or any other person, firm, or corporation, under the terms of which New York Herald-Tribune Service is furnished for publication in The Chicago Sun.

6. If the answer to Interrogatory 5 is in the affirmative, set forth in detail the terms of each of said contracts or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

7. State whether Marshall Field of The Chicago Sun or any employee of Marshall Field or of The Chicago Sun has, during the period July 1, 1941, to date, entered into any contracts or agreements with Acme Newspictures, [fol. 1105] Inc., under the terms of which Acme Newspictures, Inc., granted to The Chicago Sun any right to receive and publish the service of Acme Newspictures, Inc., in the said The Chicago Sun.

8. If the answer to Interrogatory 7 is in the affirmative, set forth in detail the terms of each of said contracts or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

9. State whether Marshall Field or The Chicago Sun, or any employee of Marshall Field or The Chicago Sun, has entered into any contracts or agreements with any persons, firms, or corporations, other than those specifically mentioned in Interrogatories 3 to and including 8 under the terms of which such persons, firms, or corporations furnish news, features, pictures, comics or other material for publication in The Chicago Sun.

10. If the answer to Interrogatory 9 is in the affirmative, set forth in detail the terms of all of said contracts

or agreements, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

19. State whether Marshall Field or The Chicago Sun or any employee of Marshall Field or of The Chicago Sun is the owner in whole or in part of the capital stock of "Chicago Sun Syndicate, Inc.," an Illinois corporation.

20. If the answer to Interrogatory 19 is in the affirmative, state whether Chicago Sun Syndicate, Inc., is engaged in the business of selling or otherwise furnishing news, features, pictures, comics, or other material for publication in newspapers.

21. If the answer to Interrogatory 20 is in the affirmative, state

[fol. 1106] (a) the names of all newspapers, foreign and domestic, to which said Chicago Sun Syndicate, Inc., has, during the period from December 1, 1941, to date, furnished such news, features, pictures, comics, or other material;

(b) with respect to each such newspaper, whether it was furnished news, features, pictures, comics, or other material;

(c) with respect to each newspaper furnished news whether such news was local news, Washington news, domestic news other than local or Washington news, or foreign news;

(d) whether said Syndicate has entered into any agreements or understandings of any nature whatsoever with any such newspaper that the service, whether news, feature, picture, comics, or other material would be in any manner whatsoever or to any extent whatsoever exclusively furnished to such newspaper within the locality or any part thereof wherein such newspaper was published.

22. If the answer to Interrogatory 21, sub-paragraph (d) is in the affirmative, set forth in detail the terms of all such agreements or understandings, including the dates they were made, the parties thereto, and the nature and dates of any modifications thereof.

23. State whether Marshall Field, The Chicago Sun, or the Chicago Sun Syndicate, Inc., publishes or owns in whole or in part the firm or corporation which publishes "Parade—The Weekly Picture Newspaper."

24. If the answer to Interrogatory 23 is in the affirmative, state the names of all newspapers which, during the period December 1, 1941 to date, have been furnished or sold copies of said "Parade."

25. If the answer to Interrogatory 23 is in the affirmative, state whether contracts or agreements have been en- [fol. 1007] tered into by the publisher of "Parade" or any one acting in his behalf for the sale of "Parade" to any persons, firms, or corporations.

26. If the answer to Interrogatory 25 is in the affirmative, give the dates of all such contracts, the parties thereto, and the terms thereof, including any modifications thereof.

33. State whether Marshall Field solicited proxies on behalf of his application for membership in The Associated Press.

34. If the answer to Interrogatory 33 is in the affirmative, state all the names of the members of The Associated Press or of the newspapers represented by such members from whom Marshall Field solicited proxies.

35. State whether any proxies were given as a result of the solicitation for proxies by said Marshall Field or by any one acting for or in behalf of said Marshall Field, and if so state who gave such proxies and to whom.

36. State whether Silliman Evans voted a total of 120 proxies in behalf of the application of Marshall Field for election to membership in The Associated Pr the 1942 annual meeting of members of said Association.

38. State whether the linotype machines, presses, and other equipment used in the printing of The Chicago Sun are owned by Marshal. Field or The Chicago Sun.

39. If the answer to Interrogatory 38 is in the negative, state whether such linotype machines, presses, and other equipment are owned by The Chicago Daily News.

40. If the answer to Interrogatory 39 is in the affirmative, set forth in detail the terms of all contracts, agree-

ments, or leases under which The Chicago Sun has used and now uses said equipment, including the dates upon which they were made, the parties thereto, and the nature and dates of any modifications thereof.

[fol. 1108] EXHIBIT No. 3-A

Cohen, Cole, Weiss & Wharton
Attorneys and Counsellors at Law
61 Broadway
New York

April 14, 1943.

Hon. Tom C. Clark,
Assistant Attorney General,
Department of Justice,
Washington, D. C.

Re: *United States* v. *Associated Press et al.*

DEAR SIR:

Replying to your letter of April 5th, I have taken up with Mr. Marshall Field, The Chicago Sun and The Chicago Sun Syndicate, Inc., the interrogatories concerning which the Government asked me to inquire.

I am enclosing herewith the information called for by these interrogatories, except for certain items of a private nature which I have advised Mr. Field are irrelevant and immaterial to the issues of the case. Five copies of such information are submitted as requested by you.

You will note that the exhibit showing the features made available to newspapers by the Sun Syndicate contains a column reading "starting date" and that that starting date in a number of instances preceded December 4, 1941. This, I am informed, is because certain of the features so made available were acquired by The Sun Syndicate after its organization but had actually been in existence for a considerable period before the Sun started publication. As a consequence the starting date indicates when that particular feature was first made available to the newspaper purchasing it by the predecessor owner.

Very truly yours, (Signed) Louis S. Weiss.

[fol. 1109] EXHIBIT No. 3-B

Memorandum Relating to the Business of Mr. Marshall Field, The Chicago Sun and The Chicago Sun Syndicate, Inc. in Respect of Interrogatories Served Upon the Government by The Associated Press on April 3, 1943.

3. The answer to Interrogatory 3 is "Yes".

4. As and by way of answer to Interrogatory 4, copies of the contracts made between United Press Associations and The Chicago Sun are annexed hereto and made a part hereof.

5. The answer to Interrogatory 5 is "Yes".

6. As and by way of answer to Interrogatory 6, copies of the contracts made between New York Tribune, Inc. and Marshall Field and between New York Tribune Inc. and The Chicago Sun are annexed hereto and made a part hereof.

7. The answer to Interrogatory 7 is "Yes".

8. As and by way of answer to Interrogatory 8, a copy of the contract made between Acme Newspapers Inc. and Marshall Field, doing business as The Chicago Sun, together with supplementary letter, is annexed hereto and made a part hereof.

9. The answer to Interrogatory 9 is "Yes".

10. As and by way of answer to Interrogatory 10, copies of the following contracts, agreements and orders made between The Chicago Sun and sundry persons, firms and corporations, under which such persons, firms and corporations furnish news, features, pictures, comics or other material for publication in The Chicago Sun, are annexed hereto and made a part hereof:

NEA Service Inc.;
Register & Tribune Syndicate;
[fol. 1110] The Newspaper PM;
New York Post;
Transradio Press Service Inc.;
The McClure Newspaper Syndicate;
Mrs. Mary M. Aldrich;
Mr. Kenesaw M. Landis;

The McNaught Syndicate Inc. (BO Sunday Comic—Fontaine Fox Sunday Comic);
Publishers Syndicate;
Reuters;
National Newspaper Service (Dr. Brady);
Mr. Baer and Mrs. Baer ("The Toodle Family Cut Out"; "The Toodle Family");
The City Press Association of Chicago;
Wander Company and Alfred M. Lowenthal ("Captain Midnight");
Carl Grubert ("The Berry's");
United Features Syndicate;
The Bell Syndicate Inc.;
British Combine Photos, Ltd.;
North American Newspaper Alliance, Inc.;
National Newspaper Service (Draftie Daily and Sunday);
Harris & Ewing Photographic Service.

19. The answer to Interrogatory 19 is "Marshall Field". [fol. 1111] 20. The answer to Interrogatory 20 is "Yes".

21. As and by way of answer to Interrogatories 21(a), (b) and (c), a list of all the newspapers, foreign and domestic, to which The Chicago Sun Syndicate, Inc. has during the period from December 1, 1941 to date furnished news, features, pictures, comics or other material, is annexed hereto and made a part hereof. The said list shows the material furnished and in general establishes the nature of that material.

As and by way of answer to Interrogatory 21(d), a list of the newspapers with which the Syndicate has entered into exclusive agreements or understandings is annexed hereto and made a part hereof.

22. As and by way of answer to Interrogatory 22, the list annexed by way of answer to Interrogatory 21(d) contains summaries of terms of the said agreements or understandings and the parties thereto.

23. By way of answer to Interrogatory 23, Marshall Field owns of record all of the stock of the corporation which publishes "Parade—The Weekly Picture Newspaper" and is the beneficial owner of 70% of such stock.

24. By way of answer to Interrogatory 24, a list of the names of all newspapers which during the period from De-

cember 1, 1941 to date have been furnished or sold copies of "Parade" is annexed hereto and made a part hereof.

25. The answer to Interrogatory 25 is that contracts and agreements have been entered into by the publisher of "Parade" for the sale of "Parade" to persons, firms and corporations.

26. By way of answer to Interrogatory 26, reference is made to the list made a part of the answer to Interrogatory 24.

[fol. 1112] 33. The answer to Interrogatory 33 is "Yes".

34. As and by way of answer to Interrogatory 34, Marshall Field solicited proxies from all members of the Associated Press as listed in the 1940 directory of the AP members.

35. As and by way of answer to Interrogatory 35, Marshall Field solicited proxies and 134 proxies were given in his behalf to Silliman Evans. A list of the said proxies, showing who gave the same, is annexed hereto and made a part hereof.

36. The answer to Interrogatory 36 is that Silliman Evans voted a total of 134 proxies on behalf of the application of Marshall Field for election to membership in the Associated Press at the 1942 annual meeting of members of said Association.

38. The answer to Interrogatory 38 is "No"; save and except that The Chicago Sun owns some incidental equipment having a gross value not exceeding $5000.

39. The answer to Interrogatory 39 is that the facts regarding the ownership of the linotype machines, presses and other equipment are unknown.

40. As and by way of answer to Interrogatory 40, copies of the contracts under which The Chicago Sun has used and now uses said equipment are annexed hereto and made a part hereof. References to the price paid by The Chicago Sun to the Chicago Daily News have been eliminated from these copies.

[fol. 1113] Contract, March 6, 1943, Chicago Sun With United Press

Agreement Made this Sixth day of March 1943, at New York, N. Y., between the United Press Associations, a New York corporation, hereinafter called United Press, and Marshall Field, doing business as the Chicago Sun, hereinafter called the Publisher

Witnesseth:

That for and in consideration of the sum of One Dollar, each to the other in hand paid, the receipt whereof is hereby acknowledged, and of the mutual covenants herein contained, the parties hereto have mutually agreed as follows:

First. United Press hereby bargains and sells to the Publisher the right and privilege of publishing in the Sun, a newspaper printed in the English language, at Chicago, Ill., its regular night leased wire and auxiliary Report, and agrees as far as practicable to deliver to the Publisher such news Report daily by automatic printer telegraph machines. Said night leased wire and auxiliary Report shall be filed to the Publisher at New York, N. Y., or elsewhere if United Press so elect.

Second. The Publisher agrees to provide typewriter and any necessary quarters for wire and operator or printer-telegraph machines, and any necessary wire, installation and power required for operation of printer-telegraph machines, and agrees to receive and accept said news Report and pay without deduction to United Press, at its New York office, during the term of this agreement and any extension thereof, the sum of $1750.00 (Seventeen hundred and fifty dollars) per week, weekly in advance, Provided, (1) that if the Telegraph or Telephone Company to which tolls are paid on behalf of the Publisher by United Press, raises the [fol. 1114] tolls on said news Report or increases the rental rate on printer-telegraph machine equipment supplied by them; or if the wage scale for union employees is increased, said Publisher shall also pay the increases in such tolls, rental or union wages to the United Press; (2) that if said news Report or any wire or other facilities used in the transmission thereof shall be hereafter made subject to any Federal or State tax of any kind payable either directly or

indirectly by United Press, the Publisher shall reimburse United Press for the proportion thereof, as determined by United Press, properly applicable to said news Report; (3) that in case of a war or any other extraordinary event requiring an additional or extraordinary expenditure of $500.00 or more weekly by United Press in securing and delivering the news of the same, United Press may assess and the Publisher shall pay United Press an additional weekly sum not to exceed 25% of the Publisher's regular weekly payment, for a period coincident with said extraordinary expenditure by United Press.

Third. The Publisher agrees not to furnish, or permit to be furnished, by his employees or from his office any portion of the United Press Report, or any news tips therefrom, to any other person, corporation, publication or publisher, or make any other use thereof than in the above mentioned newspaper, without the written consent of United Press, and further agrees to respect all release pledges on advance matter and to carry copyright line on all copyrighted matter, and to carry the United Press credit line wherever it appears in the service copy.

Fourth. The Publisher agrees to furnish to United Press at the office of the Publisher all the local news and special service from tributary news territory collected by the Publisher, without cost to United Press.

Fifth. It is mutually agreed that United Press reserves the right to make working arrangements and exchanges of news and wire facilities with other press associations, pub- [fol. 1115] lishers or persons and to sell said news Report to any other party or parties.

Sixth. It is further mutually agreed that United Press shall in no event be liable for any loss or damage arising to the Publisher by reason of the publication of any of the news received by the Publisher from United Press.

Seventh. This agreement is made subject to the ability of wire companies to furnish facilities, and the continuance of intermediate clients now on the circuit, unless United Press is satisfied with the rate named in this agreement, or same can be mutually readjusted.

Eighth. This agreement shall continue for ten (10) years from March 8th, 1943, and shall thereafter renew

itself continuously for periods of ten (10) years unless either party notify the other by registered letter received at least six months before the beginning of the first renewal period or any subsequent renewal period, of its desire to terminate this agreement, in which event this agreement shall terminate at the beginning of the next renewal period which would have commenced thereafter; otherwise, it shall remain in full force and effect, subject to all the terms and conditions hereof. In the event of the sale, transfer or consolidation of the aforesaid newspaper property of the Publisher, the Publisher hereby guarantees that his successor or assignee will fulfill the terms and conditions herein contained for the full life of this agreement.

Ninth. It is further mutually understood and agreed that time, both as to delivery of said news Report and as to said weekly payments, is of the essence of this agreement; that a waiver of any breach shall not be construed to effect a waiver of any future breach of this agreement.

Tenth. This written agreement comprises the entire understanding of the parties hereto on the subject matter [fol. 1116] herein contained; any and all oral representations or agreements of any agent of either party hereto shall be null, void and of no effect whatsoever.

(See reverse side for additional clauses)

Eleventh. The service described in the First Article of this agreement shall consist of the following: (1) The night leased wire report, from 2 pm. to 4 am. Central Time, daily, including double trunk service on Saturday nights; (2) The regular financial wire; (3) One hour financial overtime, Monday to Friday and two hour Saturday supplemental financial printer; (4) The race service; (5) Race chart service, one chart daily; (6) Special Springfield service to be filed to the Sun, tolls collect; (7) Day double trunk daily except Sunday; (8) Copies of sectional day wires from the Chicago office of the United Press.

Twelfth. It is further agreed that in event of complete and permanent cessation of publication of the above-mentioned newspaper, as differentiated from sale, transfer or consolidation, service under this agreement shall be terminated and either party will be liable for performance either as to service or payments.

Thirteenth. It is further agreed that the rate mentioned in Clause 3 of Article 2 includes an existing 15% war assessment, but that in the event of the general withdrawal of this assessment, no reduction in rate shall accrue to the Publisher hereunder.

Fourteenth. This agreement supersedes previous agreements between the United Press and the Chicago Sun, including an agreement dated September 29, 1941 with all attachments thereto, and an agreement dated March 23rd, 1942 providing for Broadcast service.

Fifteenth. It is further agreed that the day double trunk and sectional day reports are for publication only in regular morning editions of the Chicago Sun, and are not to be [fol. 1117] used in any editions reaching the streets before 5 pm., and carrying next day's date.

United Press Associations, by Hugh Baille, President. The Chicago Sun, by Silliman Evans, Publisher.

Signed and delivered in the presence of: As to U. P. A., Jack Bisco; As to Publisher, C. J. Randau.

EXHIBIT "A"

Resolved, First: That Hugh Baille, as President, J. H. Furay, as Vice-President, and Edwin Moss Williams, as Vice-President, be and they are each hereby authorized to execute and deliver, on behalf of this corporation, any and all so-called perpetual contracts or so-called asset value agreements or contracts or agreements between this corporation and any person, firm, association, partnership or corporation concerning the delivery by this corporation and the use by any such person, firm, association, partnership or corporation, of any news report or other property or service produced or sold by this corporation, with full power in any of the said persons acting and signing any such contract or agreement on behalf of this corporation in the capacity stated, to fix the kind of news report, product, or service agreed to be delivered under such contract or [fol. 1118] agreement, the rate or rates to be charged therefor, the period during which such contract or agreement shall be effective, and any and all other terms and

conditions of any such contract or agreement as such person, acting in the capacity stated, may in his entire discretion determine; and

Second: That each of the above-named persons, acting in the capacities above-stated, respectively, shall have full power and authority to do or cause to be done any and all things on behalf of this corporation necessary, incidental or proper for the accomplishment of all the foregoing authorizations, and to cause this corporation to carry out and perform, on its part, the several terms and conditions of any and all such contracts or agreements; and

Third: That the Secretary or other proper officer of this corporation be and he is hereby authorized to execute, seal and deliver such certified or other copies of this resolution or extracts therefrom, as the business of this corporation may from time to time require.

Hugh Baille, President and Chairman. R. H. Fancher, Secretary.

[fol. 1119] State of New York,
County of New York, ss:

R. H. Fancher, being first duly sworn, deposes and says that he is the duly elected and qualified Secretary of United Press Associations, a New York corporation, and that the foregoing is a true and correct copy of a resolution passed by the Board of Directors of United Press Associations at a meeting of the said Board of Directors duly held, upon waiver of notice signed by all the members of said Board of Directors, on the 9th day of May, A. D. 1942, at 11 o'clock A. M., at its offices in the Daily News Building, New York, N. Y., at which meeting a quorum of said Board of Directors was present and that said resolution is still in force and effect.

R. H. Fancher.

Subscribed and sworn to before me this 12th day of March 1943. Carl B. Molander, Notary Public, Queens Co. Clks. No. 1279. Certificate filed in N. Y. Clerk's No. 119. Commission expires March 30, 1943. (Seal.)

[fol. 1120] Memoranda and Letters Relating to Extra Services Not Provided for in U. P. Contract of September 29, 1941; November 17, 1942, December 8, 1941, December 4, 1941, November 24, 1941, November 19, 1941, November 21, 1941, November 29, 1941, November 21, 1941

Office Telegram — The Chicago Sun

to Mr. Catledge from Mr. Padulo

Date November 17, 1942.

The following is a list of all extras in our U. P. contract, as you requested in your memorandum of the 16th:

	Cost Per Week
** Contract Service of Leased Night Wire, 12-20-41 to 12-19-42	$1,000.00
War Assessment of 15%, 12-20-41 to 12-19-42	150.00
Three-Copy paper (No contract)	10.84
Undertime Rate (Rex Smith ordered this 12-8-41)	211.00
Four-Hour Extension of UP Night Trunk Wire (Silliman Evans ordered this 12-4-41)	191.62
Sunday Day Service (Rex Smith ordered this 11-24-41)	126.75
Race Charts (T. R. Curran ordered this 11-19-41)	129.74
Springfield coverage (T. J. Barry ordered this 11-21-41)	35.00
Financial Service (O. M. Smucker ordered this 11-29-41)	113.69
Financial Forms (No contract)	7.18
Financial Overtime (G. A. DeWitt ordered this 11-21-41)	51.89
National War Labor Board increase August 13, 1942	34.97
Extra Service during Football season ordered by Mr. Catledge	25.00
	$2,087.68

** Contract Service of Leased Night Wire—12-20-42 to 12-19-45 to be $1,200.00.

Contract Service of Leased Night Wire—12-20-45 to 12-19-46 to be $1,400.00.

[fol. 1121]

The Chicago Sun
400 W. Madison St.
Chicago
Postal Telegraph

Charge U. P.
December 8, 1941.

Clem J. Randau, United Press, New York.

Rex Smith orders two hour undertime till forbid. Rate $211 weekly.

T. R. Curran.

December 4, 1941.

United Press Assns., New York, New York.

Confirming conversations with Boyd Lewis, we hereby order a special four-hour extension of the United Press night trunk wire providing complete news service up to 6 a. m. CST. at $191.62 weekly.

This service and billing is in addition to that described in the basic agreement between the Chicago Sun and United Press dated Sept. 29, 1941; is to be governed by the same terms and conditions, and this memorandum shall be considered a part thereof.

This special service shall start as soon as possible.

The Chicago Sun, by Silliman Evans.

[fol. 1122]

Chicago, Illinois,
November 24, 1941.

United Press Assns., New York, N. Y.

Confirming conversations with Boyd Lewis, we hereby order Sunday day service at $126.75 weekly.

This service and billing is in addition to that described in the basic agreement between the Chicago Sun and United Press dated Sept. 29, 1941; is to be governed by the same terms and conditions, and this memorandum shall be considered a part thereof.

The starting date of this Sunday report shall be the same as that of the regular U. P. service.

The Chicago Sun, by Rex Smith, Editor.

The Chicago Sun
400 W. Madison St.
Chicago

November 19, 1941.

United Press Assns., New York, N. Y.

Confirming conversation with T. R. Curran, we hereby order United Press race chart service, one chart daily, at a weekly rate of $129.74.

This service is in addition to that described in the basic agreement with United Press dated Sept. 29, 1941, but shall [fol. 1123] be governed by the same terms and conditions, and this memorandum shall be considered a part thereof. The starting date of the chart service shall be the same as that of the regular U. P. service.

The Chicago Sun.

The Chicago Sun
400 W. Madison St.
Chicago

November 21, 1941.

Mr. Thomas J. Barry, The Chicago Sun, Daily News Building, Chicago, Illinois.

Dear Tom:

In conformance with our conversation of Wednesday afternoon and superseding our previous arrangement for special coverage from Springfield, Ill., here is the outline of coverage from the capitol:

The Sun is to increase its weekly payments to us by $35.00 to cover the cost of an additional staff man at our Springfield bureau who will be responsible for obtaining and filing night leads and a. m. releases from Springfield.

This copy is to be filed day press collect to the Sun either by Western Union or Postal Telegraph, whichever suits your convenience. The Sun is to pay these tolls.

We are to endeavor to keep our Springfield filings under 1000 words. Chamberlain and other staff men will be trusted to write night leads so that the bulk of day material may be picked up at an early hour.

[fol. 1124] Your correspondent, Adolph Belval, will be instructed to check with our bureau to be sure there is no duplication of filing.

So far as possible, we will attempt to meet a four p. m. deadline on these filings.

Will you please give us at least two weeks notice in the event you wish to terminate this agreement but modifications upward of this special service may be made on short notice, of course.

We will be glad to modify this arrangement in any way possible to make the service more acceptable and usable.

With best regards,

Sincerely, Boyd Lewis.

Accepted, (Signed) Thomas J. Barry.

The Chicago Sun, 400 W. Madison St., Chicago.

November 29, 1941

United Press Assns.
New York, N. Y.

Confirming conversations with Elmer C. Walzer, we hereby order a one-hour special wire operating daily except Saturday and Sunday from 3 p. m. to 4 p. m. C. S. T. and Saturday from 1 pm to 2 pm at $113.69 weekly. This service is to provide Chicago stock table including high and low for year, dividend sales, open, high low, close and net change; bid and asked prices on untraded New York Stock [fol. 1125] Exchange stocks; and net changes on curb stocks, curb bonds, and New York Stock Exchange bonds.

This service and billing is in addition to that described in the basic agreement between the Chicago Sun and United Press dated Sept. 29, 1941; is to be governed by the same terms and conditions, and this memorandum shall be considered a part thereof.

The starting date of this special wire shall be Monday, December 1, 1941.

The Chicago Sun. By (Signed) O. M. Smucker.

The Chicago Sun
400 W. Madison St.
Chicago

November 21, 1941.

United Press Associations, 220 E. 42nd St., New York, N. Y.

Confirming conversations with Boyd Lewis, we hereby order additional United Press financial service to consist of one additional hour of service daily except Saturday and Sunday on circuit 7506 from 4:30 to 5:30 p. m. EST and two hours on circuit 7516 on Saturdays only between 1 and 3 p. m. EST, at a weekly rate of $51.89.

This service is to be in addition to that described in the basic agreement with the United Press dated Sept. 29, 1941, but shall be governed by the same terms and conditions and this memorandum shall be considered a part thereof. The starting date of this additional service shall be the same as the regular financial service.

The Chicago Sun By (Signed) G. A. De Witt.

[fol. 1126] Contract, September 29, 1941, Chicago Sun and U. P.

Agreement made this twenty-ninth day of September 1941, at New York, N. Y., between the United Press Associations, a New York corporation, hereinafter called United Press, and Marshall Field and Silliman Evans, individuals, hereinafter called the Publisher.

Witnesseth:

That for and in consideration of the sum of One Dollar, each to the other in hand paid the receipt whereof is hereby acknowledged, and of the mutual covenants herein contained, the parties hereto have mutually agreed as follows:

First. United Press hereby bargains and sells to the Publisher the right and privilege of publishing in the (see Article 13) a newspaper printed in the English language at Chicago, Illinois, its regular night leased wire and auxiliary Report, and agrees as far as practicable to deliver to the Publisher such news Report every evening by automatic printer telegraph machines.

Said night leased wire and auxiliary Report shall be filed to the Publisher at New York, N. Y., or elsewhere if United Press so elect.

Second. The Publisher agrees to provide typewriter and any necessary quarters for wire and operator or printer-telegraph machines, and any necessary wire, installation and power required for operation of printer-telegraph machines, and agrees to receive and accept said news Report and pay without deduction to United Press, at its New York office, during the term of this agreement and any extension thereof, the sum of $1,000 (One Thousand Dollars) per week during the first year; $1,200 (Twelve Hundred Dollars) per week during the next three years and thereafter $1,400 (Fourteen Hundred Dollars) per week, weekly in advance; *Provided*, (1) that if the Telegraph or Telephone Company to which tolls are paid on behalf of the Publisher by United Press, raises the tolls on said news Report or increases the rental rate on printer-telegraph [fol. 1127] machine equipment supplied by them; or if the wage scale for union employees is increased, said Publisher shall also pay the increases in such tolls, rental or union wages to the United Press; (2) that if said news Report or any wire or other facilities used in the transmission thereof shall be hereafter made subject to any Federal or State tax of any kind payable either directly or indirectly by United Press, the Publisher shall reimburse United Press for the proportion thereof, as determined by United Press, properly applicable to said news Report; (3) that in case of a war or any other extraordinary event requiring an additional or extraordinary expenditure of $500.00 or more weekly by United Press in securing and delivering the news of the same, United Press may assess and the Publisher shall pay United Press an additional weekly sum not to exceed 25% of the Publisher's regular weekly payment, for a period coincident with said extraordinary expenditure by United Press.

Third. The Publisher agrees not to furnish, or permit to be furnished, by his employees or from his office any portion of the United Press Report, or any news tips therefrom, to any other person, corporation, publication or publisher, or make any other use thereof than in the above mentioned newspaper, without the written consent of United

Press, and further agrees to respect all release pledges on advance matter and to carry copyright line on all copyrighted matter, and to carry the United Press credit line wherever it appears in the service copy.

Fourth. The Publisher agrees to furnish to United Press at the office of the Publisher all the local news and special service from tributary news territory collected by the Publisher, without cost to United Press.

Fifth. It is mutually agreed that United Press reserves the right to make working arrangements and exchanges of news and wire facilities with other press associations, publishers or person and to sell said news Report to any other party or parties.

[fol. 1128] Sixth. It is further mutually agreed that United Press shall in no event be liable for any loss or damage arising to the Publisher by reason of the publication of any of the news received by the Publisher from the United Press.

Seventh. This agreement is made subject to the ability of wire companies to furnish facilities, and the continuance of intermediate clients now on the circuit, unless United Press is satisfied with the rate named in this agreement, or same can be mutually readjusted.

Eighth. This agreement shall continue for five (5) years from December 20, 1941 and shall thereafter renew itself continuously for periods of five (5) years unless either party notify the other by registered letter received at least six months before the beginning of the first renewal period or any subsequent renewal period, of its desire to terminate this agreement, in which event this agreement shall terminate at the beginning of the next renewal period which would have commenced thereafter; otherwise, it shall remain in full force and effect, subject to all the terms and conditions hereof. In the event of the sale, transfer or consolidation of the aforesaid newspaper property of the Publisher, the Publisher hereby guarantees that his successor or assignee will fulfill the terms and conditions herein contained for the full life of this agreement.

Ninth. It is further mutually understood and agreed that time, both as to delivery of said news Report and as to

said weekly payments, is of the essence of this agreement; that a waiver of any breach shall not be construed to effect a waiver of any future breach of this agreement.

Tenth. This written agreement comprises the entire understanding of the parties hereto on the subject matter herein contained; any and all oral representations or agreements of any agent of either party hereto shall be null, void and of no effect whatsoever.

(See reverse side for additional clauses)

[fol. 1129] Eleventh. The service described in the First Article of this agreement shall consist of the financial wire and the race wire in addition to the regular night leased wire report.

Twelfth: It is further agreed that in event of complete and permanent cessation of publication of the above-mentioned newspaper, as differentiated from sale, transfer or consolidation, service under this agreement shall be terminated and neither party will be liable for performance either as to service or payments.

Thirteenth. Service under this agreement shall commence on Dec. 20, 1941 or any time prior thereto on option of Publisher. Name of the paper to be added to this agreement by letter attachment when chosen.

United Press Associations, by Hugh Baillie, President. Marshall Field and Silliman Evans, by Marshall Field, Silliman Evans. (Seal.)

Signed and delivered in the presence of: Carl B. Molander, as to U. P. A. Jack Bisco, as to Publisher.

[fol. 1130] Contract October 15, 1941, Chicago Sun and New York Tribune, Inc., with Feature List Attached; Letters, November 22, 1941, and October 20, 1941, Concerning Chicago Sun-New York Tribune Syndicate Service Provided for in Contract of October 15, 1941; Contract March 25, 1943, Chicago Sun-New York Tribune, Inc., Covering New York Tribune Syndicate Service, With List of Syndicate Features Attached.

Agreement between New York Tribune, Inc., hereinafter sometimes called the Syndicate, and Marshall Field, who

is organizing and about to publish a Daily Newspaper in Chicago, Illinois.

1. During the period of two (2) years beginning November 15, 1941, and, except as hereinafter provided, continuing to and including November 14, 1943, the Syndicate shall furnish said Marshall Field, in ample time prior to release dates, at the following rate and upon the following terms and conditions, the Syndicate's Blanket Service and Syndicate Features, which at the date hereof consist of those listed in the annexed schedule marked "Schedule A."

2. This service also entitled Marshall Field to first option in his territory upon any new Features which the Syndicate may develop or acquire. If such Features are of usual run or customary substitutions, they will be included hereunder without additional charge; but if they are of unusual merit or of exceptional and unusual cost, the Syndicate shall be entitled to ask a fair price therefor, taking into consideration the significance of the City of Chicago, in addition to the rate stated herein, in which event said Marshall Field shall have the option to accept or reject such Features of unusual merit or of exceptional and unusual cost.

3. Current News Reports (including current Foreign Cables) and such Special Articles and Features included in the Syndicate's Blanket Service as may be specified by said Marshall Field from time to time will be transmitted [fol. 1131] promptly to him from New York City by telegraph, and said Marshall Field will reimburse the Syndicate for the out of pocket expense incurred for such transmission. All other material included in the Syndicate's Blanket Service will be mailed to said Marshall Field at Chicago, in proof or matrix form, and he will reimburse the Syndicate for the expense of postage.

4. Marshall Field shall pay the syndicate for the two years of said term commencing on November 15, 1941, weekly at the rate of $600.00 per week, plus postage and the expense of telegraphic transmission of News Reports and Special Features as provided in Paragraph 3 hereof. However, Marshall Field shall have the option at any time within the term of this contract to extend this contract for an additional five year period at the weekly rate of $500 per week plus postage and the expense of telegraphic transmission of News Reports and Special Features as provided

in paragraph 3 hereof. This weekly rate of $500 shall begin when the extension is signed. However, if at any time during the term of the agreements, by reason of any emergency proclaimed by any Governmental authority, of war conditions, of abridgement of transportation facilities or of priorities decreed, the Syndicate would, in its sole judgment, incur, in order to perform this Agreement, additional expenditures, or by reason of inflation or otherwise, the Syndicate is of the opinion that the buying power of the dollar has been materially decreased, then from time to time the Syndicate shall, upon sixty days' notice in writing to said Marshall Field, have the right to request an increase in the price of said service. Whether or not this increase is granted shall be determined by an arbitration committee of three members, one member named by the said Marshall Field, one member named by the Syndicate, and one member named by both of the contracting parties.

5. Except as otherwise herein provided, so long as the Syndicate's Blanket Service shall remain substantially the same as the above described give and take, the said weekly [fol. 1132] rate shall remain unchanged; if, however, there should be material deterioration in such Service as the result of substitutions or otherwise, appropriate adjustments shall be made in the weekly rate.

6. This Service is for the exclusive use of said Marshall Field in the City of Chicago. Said Marshall Field shall not publish or cause or allow publication of any Features in advance of release date set by the Syndicate. He shall not use or cause or allow the use of any Feature except for one publication in the newspaper which he is about to publish and shall not sell or otherwise dispose of any Feature furnished, without written consent of the Syndicate. Said Marshall Field, however, shall have the right to assign this Agreement to any individual, corporation or partnership who or which may become the publisher of said newspaper, provided, however, that in no circumstances shall any such assignment release the said Marshall Field from his personal liability hereunder. The termination of this Agreement shall end all rights of said Marshall Field to the use of matter furnished hereunder.

7. Marshall Field shall have the right to query and receive information from the syndicate on news stories of

special interest to Chicago from whatever points the New York Tribune Inc., maintains news facilities. This special coverage cannot be construed as an assignment service but is intended by the said Marshall Field to provide protective coverage through the syndicate on important stories of extraordinary Chicago interest.

8. Nothing herein contained shall obligate the Syndicate to furnish matter which because of copyright by others or for any other reason it has no right to sell; and the obligations of the Syndicate hereunder are subject to rules now or hereafter in force of The Associated Press.

9. Marshall Field in his newspaper shall print in connection with the copyrighted and/or trade-marked matter [fol. 1133] a copyright notice and/or notice of trade mark registration, as the case may be, in form required by law by giving the name of the copyright and/or trade mark proprietor.

10. This Agreement, when properly executed, shall bind the parties hereto and their respective executors, administrators, successors and assigns.

11. This Agreement shall not be binding until accepted hereon in writing by the President or Vice president of the Syndicate in New York City. The foregoing provisions hereof constitute the whole Agreement and no oral modifications or additions shall be binding.

Dated: New York City, October 15, 1941.

New York Tribune, Inc., By Howard Davis, Vice President. Silliman Evans (L.S.), Agent for Marshall Field.

Rex Smith, Editor.

[fol. 1134] New York Herald Tribune Syndicate Features

Comics

Sunday

(S-Standard Page).
(H-Half Page

Mr. and Mrs.
by Arthur Folwell S-H

The Timid Soul
by H. T. Webster S-H

Betty
by C. A. Voight H

Peter Rabbit
by Harrison Cady S

Clarence
by Frank Fogarty and
Weare Holbrook S

Skeets
by Dow Walling S

Our Bill
by Harry Haenigsen H

Peter Piltdown
by Mal Eaton H

Weekday

H. T. Webster

Mr. and Mrs.

Commentators

Walter Lippmann—
3 articles weekly

Mark Sullivan—
4 articles weekly

Major G. F. Eliot—
2 articles weekly

Daily and Weekly Features

Daily

Daily Cartoon Service
Dinner Menus
Books—Lewis Gannett's reviews
Sport Column—
Bridge—Florence Osborn
Fashions—Katherine Vincent
Children—Burgess' Nature Stories
News—Full News Service.

Once-A-Week

Theatres—Weekly Letter
"This New York"—Lucius Beebe
Society—Howard White
Homemaking—Complete Home Institute service, including recipes and appliance news.
Gardens—Putz'. "Garden Notebook"
Men's Fashions—Ill. article
Science—Feature article
Stamps—News of stamp world
Puzzles—Weekly Crossword and Cryptograms
House Clinic—Ducas and Gordon—illustrated articles
Beauty—Sara Sutton
Fashions—Katherine Vincent
State of Business—Harvey Runner
Business Index

[fol. 1135] Chicago, Illinois, November 22, 1941.

New York Tribune Inc., 230 West 41st Street, New York, New York.

GENTLEMEN:

The Agreement which you executed with me under date of October 15, 1941, provides that you shall forward to me your Syndicate's Blanket Service and Syndicate Features during the period of two years beginning November 15, 1941, and continuing to and including November 14, 1943.

I am not yet prepared to publish the Daily newspaper for which this Service was purchased from you and accordingly request that the first paragraph of that Agreement be changed to read as follows—

> "1. During the period of two years beginning on January 1, 1942, unless an earlier date is set by Marshall Field by giving ten days' written notice to New York Tribune Inc. fixing such earlier date and, except as hereinafter provided, and continuing to and including December 31, 1943 or two years from the earlier date so set by Marshall Field, the Syndicate shall furnish said Marshall Field, in ample time prior to release dates, at the following rate and upon the following terms and conditions, the Syndicate's Blanket Service and Syndicate Features, which at the date hereof consist of those listed in the annexed schedule marked 'Schedule A'."

I understand that as of November 15 the Lucius Beebe column has been released at my request by the Chicago Herald-American and I agree to pay you from that date to the date when our amended agreement begins the amount which would have been received by you for the Beebe column for that period from the Chicago Herald-American. The News Service and Lippmann and Sullivan features may be released by the Chicago Journal of Commerce before the beginning of our amended agreement. In that event, I agree to pay you from the date of such releases to the date [fol. 1136] of the beginning of our amended agreement the amount which you would have received for the News Service and Lippmann and Sullivan features from the Chicago Journal of Commerce during said period.

Yours very truly, Silliman Evans, Agent for Marshall Field.

In the Pre-Publication Office of the New Chicago Morning Newspaper Suite 1260 Field Building, 135 S. La Salle Street, Chicago, Illinois.

Andover 5656 October 20, 1941

AIR MAIL SPECIAL DELIVERY

Mr. Harry Staton, General Manager, New York Herald Tribune Syndicate, 230 West 41st Street, New York City, New York.

DEAR MR. STATON:

Regarding paragraph seven, it is our understanding that out of pocket expenses incurred by the Syndicate shall be paid back to the Syndicate by Marshall Field, and you may attach this to the contract between New York Tribune, Inc., and Marshall Field for the Syndicate's blanket service and syndicate features.

Very truly yours, (Signed) Silliman Evans Agent for Marshall Field.

(Signed) Rex Smith, Editor.

Accepted: New York Tribune Inc.; Howard Davis Vice President.

[fol. 1137] This agreement between the New York Tribune, Incorporated, hereinafter sometimes called the Syndicate, and The Chicago Sun, a daily newspaper published in Chicago, Illinois, supersedes the agreement dated October 15, 1941, between the New York Tribune, Incorporated and Marshall Field.

(1) During the period of three (3) years beginning March 29, 1943, and, except as hereinafter provided, continuing to and including March 28, 1946, the Syndicate shall furnish said Chicago Sun, in ample time prior to release dates, at the following rate and upon the following terms and conditions, the Syndicate's Blanket Service and Syndicate Features, which at the date hereof consist of those listed in the annexed schedule marked "Schedule A".

(2) This service also entitles The Chicago Sun to first option in its territory upon any new features which the

Syndicate may develop or acquire. If such features are of usual run or customary substitutions, they will be included hereunder without additional charge; but if they are of unusual merit or of exceptional and unusual cost, the Syndicate shall be entitled to ask a fair price therefor, taking into consideration the significance of the City of Chicago, in addition to the rate stated herein, in which event said Chicago Sun shall have the option to accept or reject such Features of unusual merit or of exceptional and unusual cost.

(3) Current News Reports (including current Foreign Cables) and such Special Articles and Features included in the Syndicate's Blanket Service as may be specified by said Chicago Sun from time to time will be transmitted promptly to them from New York City by telegraph, and said Chicago Sun will reimburse the Syndicate for the out of pocket expense incurred for such transmission. All other material included in the Syndicate's Blanket Service will be mailed to said Chicago Sun at Chicago, in proof or matrix form, and they will reimburse the Syndicate for the expense of postage.

(4) The Chicago Sun shall pay the Syndicate for the three (3) years of said term commencing on March 29, 1943, [fol. 1138] weekly at the rate of $400.00 per week, plus postage and the expense of telegraphic transmission of News Reports and Special Features as provided in Paragraph 3 hereof. However, if at any time during the term of the agreements, by reason of any emergency proclaimed by any Governmental authority, of war conditions, of abridgement of transportation facilities or of priorities decreed, the Syndicate would, in its sole judgment, incur, in order to perform this Agreement, additional expenditures, or by reason of inflation or otherwise, the Syndicate is of the opinion that the buying power of the dollar has been materially decreased, then from time to time the Syndicate shall, upon sixty days' notice in writing to said Chicago Sun, have the right to request an increase in the price of said service. Whether or not this increase is granted shall be determined by an arbitration committee of three members, one member named by the said Chicago Sun, one member named by the Syndicate, and one member named by both of the contracting parties.

(5) Except as otherwise herein provided, so long as the Syndicate's Blanket Service shall remain substantially the same as the above described give and take, the said weekly rate shall remain unchanged; if, however, there should be material deterioration in such Service as the result of substitutions or otherwise, appropriate adjustments shall be made in the weekly rate.

(6) This Service is for the exclusive use of said Chicago Sun in the City of Chicago. Said Chicago Sun shall not publish or cause or allow publication of any Features in advance of release date set by the Syndicate. They shall not use or cause or allow the use of any Feature except for one publication in The Chicago Sun and shall not sell or otherwise dispose of any Feature furnished, without written consent of the Syndicate.

(7) The Chicago Sun shall have the right to query and receive information from the Syndicate on news stories of special interest to Chicago from whatever points the New York Tribune, Incorporated, maintains news facilities. This special coverage cannot be construed as an assignment service but is intended by the said Chicago Sun to provide [fol. 1139] protective coverage through the Syndicate on important stories of extraordinary Chicago interest.

(8) Nothing herein contained shall obligate the Syndicate to furnish matter which because of copyright by others or for any other reason it has no right to sell; and the obligations of the Syndicate hereunder are subject to rules now or hereafter in force of The Associated Press.

(9) The Chicago Sun shall print in connection with the copyrighted and/or trade-marked matter a copyright notice and/or notice of trade mark registration, as the case may be, in form required by law by giving the name of the copyright and/or trade mark proprietor.

(10) This Agreement, when properly executed, shall bind the parties hereto and their respective executors, administrators, successors and assigns.

(11) It is further agreed that in event of complete and permanent cessation of publication of the above-mentioned newspaper, as differentiated from sale, transfer or consolidation, service under this agreement shall be terminated

and neither party will be liable for perfomance either as to service or payments.

(12) This Agreement shall not be binding until accepted hereon in writing by the President or Vice President of the Syndicate in New York City. The foregoing provisions hereof constitue the whole Agreement and no oral modifications or additions shall be binding.

(13) The Chicago Sun shall have the option to renew this contract for an additonal two years, at the same terms and conditions, by giving the Syndicate due notice in writing prior to December 28, 1945.

March 25, 1943.

New York Tribune, Inc., By Howard Davis, Executive Vice President; The Chicago Sun, By Silliman Evans.

[fol. 1140] "Schedule A"

NEW YORK HERALD TRIBUNE SYNDICATE FEATURES

Comics

Sunday

(S-Standard Page)
(H-Half Page)

Mr. and Mrs.
by Arthur Folwell S-H
The Timid Soul
by H. T. Webster S-H
Betty
by C. A. Voight H
Peter Rabbit
by Harrison Cady H
Clarence
by Frank Fogarty and
Weare Holbrook H
Skeets
by Dow Walling H
Our Bill
by Harry Haenigsen H
Peter Piltdown
by Mal Eaton H

Weekday

H. T. Webster
Mr. and Mrs.

Commentators

Walter Lippmann—
3 articles weekly
Mark Sullivan—
4 articles weekly
Major G. F. Eliot—
7 articles weekly
William L. Shirer—
1 article weekly

Daily and Weekly Features

Daily

Daily Cartoon Service
Dinner Menus
Lewis Gannett's reviews
Sport Column
Bridge—Florence Osborn
Fashions—Katherine Vincent
Children—Burgess' Nature Stories
News—Full News Service

Once-A-Week

Theatres—Weekly Letter
"This New York"—Lucius Beebe
Society—Howard White
Homemaking—Complete Home Institute service, including recipes and appliance news
Gardens—Putz' "Garden Notebook"
Science—Feature article
Stamps—News of stamp world
Puzzles—Weekly Crossword and Cryptograms
House Clinic—Elizabeth Gordon—illustrated articles
Beauty—Sara Sutton
Fashions—Katherine Vincent
State of Business—Harvey Runner
Business Index

[fol. 1141] Contract December 8, 1942 (Chicago Sun-Acme Newspictures, Inc.; Letter December 8, 1942 re Acme Mat Service

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Agreement made this Eighth day of December, 1942, at Cleveland, Ohio, between Acme Newspapers, Inc., a Delaware corporation (hereinafter called Acme), First Party, and Marshall Field, an individual doing business as The Chicago Sun (hereinafter called the Publisher), Second Party,

Witnesseth:

That for and in consideration of the sum of One Dollar ($1.00) by each to the other in hand paid, the receipt whereof is hereby acknowledged, and of their mutual agreements herein stated, the parties mutually agree as follows:

(1) Acme hereby sells to the Publisher the right to receive and publish in the Chicago Sun a newspaper printed in the English language at Chicago, Ill., its Telephoto Service received at its Chicago Bureau and delivered by pneu-

matic tube to the building of the Chicago Daily News and its Full Daily Mail Service. Acme agrees as far as practicable to deliver said service to the Publisher by depositing the same in the United States mails, addressed to the newspaper above named. Acme may at its option deliver all or any part of said service by courier or by express or by pneumatic tube.

(2) a. The Publisher agrees to accept said service and pay to Acme at its New York office, during the term of this agreement and any renewal thereof, the sum of $575.00 (Five Hundred and Seventy-Five Dollars) per week, weekly in advance, plus the cost of delivering said service.

b. In case of war or other extraordinary event or events requiring additional or extraordinary expenditure of $500.00 [fol. 1142] or more weekly by Acme in producing and delivering said service to its clients, Acme may assess, and the Publisher shall pay Acme an additional sum not to exceed twenty-five per cent (25%) of the Publisher's then current weekly payment; such additional payment to continue so long as Acme shall make such additional or extraordinary expenditures.

(3) The Publisher agrees not to furnish, or permit to be furnished by its employes, or from its office, any part of said service, or any picture, illustration or matrix therefrom, to any other person, corporation, publisher or publication, or make any print or publication thereof other than in the above named newspaper, without the prior written consent of Acme; and further agrees to respect all release pledges on advance matter, to carry copyright lines on all copyrighted matter, and to carry the Acme credit line wherever it appears in the service copy.

(4) The Publisher agrees to furnish to Acme at the office of the Publisher, all pictures which may be collected or received by the Publisher in the ordinary course of its business.

(5) It is mutually agreed that Acme reserves the right to make working arrangements and exchanges of service and facilities with other picture services, press associations, publishers and/or others, and to sell said service above specified to any other party or parties.

(6) It is further mutually agreed that Acme shall in no event be liable for any loss or damage arising to the Publisher by reason of the publication of any of the said service received by the Publisher from Acme under this agreement.

(7) Whenever the Publisher requests a picture which would not otherwise be part of Acme's regular picture service, Acme shall use its best efforts to obtain such picture for the Publisher, and all costs and expenses of Acme in obtaining such picture for the Publisher shall be paid by the Publisher. In the event any such picture requested from [fol. 1143] Acme by the Publisher cannot be obtained by Acme in its opinion with reasonable use of its organization for the collection and production of pictures, then Acme shall not be bound to attempt to obtain any such picture so requested.

(8) This agreement shall continue for Three years from December 12, 1942 and shall thereafter renew itself continuously for periods of Three years unless either party notify the other by registered letter received at least six months before the beginning of the first renewal period or any subsequent renewal period, of its desire to terminate this agreement, in which event this agreement shall terminate at the beginning of the next renewal period which would have commenced thereafter; otherwise, it shall remain in full force and effect, subject to all the terms and conditions hereof. In the event of the sale, transfer or consolidation of the aforesaid newspaper property of the Publisher, the Publisher hereby guarantees that his successor or assignee will assume and fulfill the terms and conditions of this agreement.

(9) It is further mutually understood and agreed that time, both as to the delivery of said service, as to said weekly payments specified in Paragraph (2) hereof and as to notice of termination as provided in Paragraph (8) hereof, is of the essence of this contract; and that a waiver by either party hereof of any breach hereof shall not be construed to effect a waiver of any future breach of this agreement.

(10) This written agreement comprises the entire understanding of the parties hereto on the subject matter herein contained; any and all oral representations or agreements

by any agent of either party hereto shall be null and void and of no effect whatsoever.

(11) Acme agrees to waive any application of Paragraph B in Clause 1 during the first three years of this agreement.

[fol.1144] (12) Acme agrees that in event of complete and permanent cessation of publication of the above-mentioned newspaper, as differentiated from sale, transfer or consolidation, service under this agreement shall be terminated and neither part shall be liable for performance either as to service or payments.

Acme Newspictures, Inc., By Fred S. Ferguson President. Marshall Field, doing business as The Chicago Sun, By Silliman Evans, President.

Signed and delivered in the presence of: G. A. Phillips, As to Acme Newspictures, Inc.; Ralph Horner, As to Publisher.

New York, December 8, 1942.

Mr. Silliman Evans, Publisher; The Chicago Sun, Chicago, Illinois.

Dear Mr. Evans:

In connection with the contract dated December 8, 1942 between The Chicago Sun and Acme Newspictures, Inc., Acme agrees to supply The Sun with the regular Acme mat service issued by Acme's Chicago bureau so long as Acme continues to produce and issue such service. Should scar- [fol. 1145] city of materials or other conditions make it impractical for Acme to continue production of such a mat service, The Sun agrees that Acme shall not be obligated to continue said service.

The provisions of this letter shall be in effect during the term of the aforementioned agreement.

The Chicago Acme mat service shall be made available to The Sun at the Acme office in Chicago as promptly as possible when and as the mats are issued.

Acme agrees that when and as it issues any additional mat service, said service shall be made available to The Sun.

Acme also agrees to supply The Sun with its regular mat service published in New York and consisting of six pages of mats each week.

The Sun agrees to pay $30.00 per week, plus postage, for these mat services.

Sincerely yours, Ralph Horner, Acme Newspictures, Inc.

Accepted: Silliman Evans, The Chicago Sun, Publisher.

Contract of November 1, 1941, Between Marshall Field and NEA Service, Inc., for Four Features in Color Mat Form (6 Months' Duration).

Contract, Chicago Sun and Register and Tribune Syndicate for Four Columns in Strip (6 Months' Duration).

Contract, December 24, 1941, Between Chicago Sun and PM for Three Features (60 Day Cancellation).

[fol. 1146] Contract, October 18, 1941, Marshall Field-New York Post, for Samuel Grafton Column:

> "It is understod that you (Marshall Field) are purchasing the right to print the Grafton column in a daily newspaper which you plan to publish in Chicago, Illinois, and that New York Post, Inc. has agreed not to sell such rights to any other newspaper, daily or weekly, in the Cities of South Bend, Indiana, or Milwaukee, Wisconsin, or in the State of Illinois, or within one hundred miles in any direction from Chicago, Illinois."

Contract, October 22, 1941, Marshall Field-Transradio Press Service, Incorporated

This Agreement, made this 22nd day of October, 1941, by and between Transradio Press Service, Incorporated, a New York corporation (hereinafter called TP), and Marshall Field (hereinafter called Publisher).

In consideration of the mutual covenants and promises herein contained, the parties hereto have mutually agreed:

Witnesseth:

(1) TP shall sell and deliver, and Publisher shall buy and accept the right and privilege of publishing in the morning

paper, (name to be selected) a newspaper printed in the English language at Chicago, Ill., the regular news service prepared and transmitted to Publish by TP.

(2) The regular news service under this contract shall consist of National and International spot news via leased teletype, between the hours of — and —, seven days a week; plus TP's supplementary mail services (General Mailer, Sports Sidelights and Women's News); and, by special arrangements with Transradio News Features, Inc., the feature columns titled "Confidentially Yours", "Beyond The News", and "FYI", except, however TP shall [fol. 1147] be relieved of the obligation of delivering the aforementioned feature columns in the event said Transradio News Features, Inc., should discontinue issuance thereof in which event the rate set forth in clause (3) will be reduced by $25.00 per week or a pro-rata amount.

(3) Publisher shall pay to TP the sum of $100.00 per week payable — in advance, for such news service.

(4) (a) Charges for rental of teletype instruments which may be used to receive news dispatches transmitted to Publisher by TP, if any, shall be paid by TP.

(b) Charges for teletype wire circuits, and/or telegraph or telephone tolls, which may be required to receive news dispatches from TP to Publisher shall be paid by TP.

(c) If the union wages for teletype operators of TP are increased, Publisher shall also pay the prorated increase in such union wages.

(5) TP shall in no event be liable for any loss or damage arising out of any legal action or suit in equity suffered by Publisher by reason of the publication of any news received by Publisher from TP.

(6) Publisher agrees not to furnish or permit to be furnished by his employees or from his office any portion of the TP service, or any news tips therefrom, to any other person, corporation, publication, publisher or broadcaster, or make any other use thereof other than in the above mentioned newspaper, without the written consent of TP, and further agrees to carry the TP credit line on each TP news item published by said newspaper. However, nothing herein contained shall prohibit TP from selling all, or any

portion of its news service, to any radio station for broadcast.

(7) Acts of God, fires, strikes, interruption in the service of Telephone or Telegraph companies, or all other contingencies beyond the control of TP, whether similar or [fol. 1148] dissimilar to any of the foregoing, shall be sufficient reason for any suspension or delay in delivering the news service of TP, traceable to any such cause. In the event that the delivery of news hereunder shall be delayed by reason of any of the above causes for a period of thirty (30) days or more, Publisher shall have the right on two days' written notice to TP, to terminate this contract.

(8) This agreement is made subject to the ability of wire companies to furnish facilities and the continuance of intermediate clients now on the circuit, unless TP is satisfied with the rate named in this Agreement, or same can be mutually readjusted.

(9) This agreement shall continue for 18 months from the 15th day of November 1941, to the 14th day of May 1943, inclusive, and except that in the absence of 180 days' notice prior to the expiration hereof, given by either party to the other, this contract, and all of its terms and conditions, shall be extended for a term equal to the first term of this contract; and, in the event of such renewal, Publisher shall pay to TP the sum of $150.00 per week, instead of $100.00 per week as provided in clause (3).

In the event of the sale, transfer or consolidation of the aforesaid newspaper property of Publisher, Publisher hereby guarantees that his successor or assignee will fulfill the terms and conditions herein contained for the full life of this agreement.

(10) Any delay in making payments by Publisher as herein provided, shall be sufficient reason for immediate termination of this contract. A waiver of any breach of any kind shall not be construed as a waiver of any future breach.

(11) This written agreement comprises the entire understanding of the parties on the subject matter herein contained; and any and all oral representations or agreements of any agent of either party hereto shall be null, void and of no effect whatsoever.

[fol. 1149]. In Witness Whereof, the parties hereto have subscribed their names and affixed their seals this 1st day of November 1941.

Transradio Press Service, Incorporated, by D. O. Young. —— ——, by Silliman Evans.

Attest: Muriel Rosenwald.
Attest: Rex Smith, Editor.

Contract November 7, 1941, Marshall Field-McClure Newspaper Syndicate, for One Sunday Color Feature (60-Day Cancellation).

Contract September 4, 1942, Chicago Sun-Mary M. Aldrich, for Three Articles Weekly on Child Training

Contract September 4, 1942, Chicago Sun-Kenesaw M. Landis for Three Columns Weekly (3 Months' Duration):

"The Chicago Sun will pay you Fifty Dollars ($50.00) a week for the exclusive use of this column in its circulation territory.

"The Chicago Sun Syndicate will further pay you fifty per cent. (50%) of its gross revenue if it is successful in selling your column to other newspapers.

"It is understood that you will continue to supply your column to the Logansport Pharos-Tribune but that you will not supply any other paper without written permission from us."

[fol. 1150] Contract September 10, 1942, Chicago Sun-McNaught Syndicate, Inc., for One BO Sunday Comic

Contract September 10, 1942, Chicago Sun-McNaught Syndicate, Inc., for Fontaine Fox Sunday Comic

Contract December 2, 1942, Chicago Sun-Publishers Syndicate, for Feature "Strictly Business" (30 Days' Notice):

"It is understood that the undersigned newspaper will receive the exclusive rights to the above named feature in the city of its publication."

Contract March 14, 1942, Chicago Sun-Reuters
(30 Day Cancellation):

Circle 6-3960 Head Office: London

REUTERS

50 Rockefeller Plaza, New York

March 14, 1942.

DKR:SO
By Airmail.

George De Witt, Esq., Managing Editor, Chicago Sun, Chicago, Illinois.

Dear Mr. De Witt:

I have just returned to the office after being sick for a couple of weeks and I am pleased to note that The Sun is continuing the Reuter Service.

[fol. 1151] For record purposes, I append the terms of the new arrangement (showing a reduction in subscription rate of approximately $300.00 monthly) which I understand have been mutually agreed to, and which became effective on March 1st, 1942.

Reuters will deliver from 4 P. M. to Midnight New York Time daily, including Sundays, by teleprinter to the Chicago Sun, Chicago, the Reuter foreign news service as received in New York.

Effective March 1st, 1942, the Chicago Sun will pay Reuters at the rate of $50.00 (fifty dollars) weekly for this service. Such payment to include line and printer charges.

The arrangement is to be on a month to month basis, terminable by either party upon thirty days notice being given in writing.

Reuters shall have the privilege of selling their service to radio stations in Chicago.

Reuters will make every effort to ensure accuracy and promptness in the service, but the Chicago Sun agrees that it will not hold Reuters responsible for any errors, delays or omissions in the service furnished by Reuters

or for any damages or liability of any nature whatsoever which may result to the Chicago Sun from publication of any item furnished by Reuters.

We look forward to a long and pleasant association. We should appreciate receiving observations on the service from your editors as we are anxious to mould the service as far as possible to meet any particular requirements you may have, and thus make the service as valuable and useful as possible to the Sun. For instance, should you feel that you would like a larger volume from a particular foreign center, or more (or less) material dealing with the activities of the nations (Poland, Czecho-Slovakia, etc.) at present under Nazi domination, please advise us.
[fol. 1152] In this connection we have arranged, commencing next week, for the well known Polish journalist and author, Mr. Ksawery Pruszynski, who is now in Russia to write us exclusive weekly feature articles. These articles will, of course, be included in the printer service to The Sun.

Also, if we can cooperate with your New York representative in any way we shall be glad to do so, and would suggest that he be advised to contact us if we can be of assistance at any time.

Very truly yours, D. Kimpton Rogers, Manager.

Contract, January 28, 1943, Chicago Sun-National Newspaper Service, for Column "Personal Health Service" (6 Months' Duration).

Contract, October 5, 1942, Chicago Sun Syndicate, Inc.-Stanley F. Bayer and Betsy H. Bayer, for Weekly Half Page for Four-Color Drawing "The Toodle Family Cut-Out":

"(8) It is further agreed that neither of the parties hereto shall have the right to sell said feature or authorize the use of the same, or said copyrighted or registered name, in motion pictures, dramatic stage, radio, book, magazine, toy, trade papers, advertising, or any other commercial use, without the approval of both of the parties hereto, provided, however, that the foregoing shall in no way interfere with the exclusive right of the Chicago Sun Syndicate to sell said feature to newspapers, as herein provided."

[fol. 1153] Contract, October 5, 1942, Chicago Sun Syndicate, Inc.-Stanley F. Bayer and Betsy H. Bayer, for Sunday Half or Full Page Four-Color Comic "The Toodle Family" and Six Comic Strip Drawings Per Week, Superseding Original Agreement Dated November 25, 1941:

> "(4) You (Bayer) agree not to produce, prepare or offer this or any similar or conflicting newspaper comic strip or page to any other syndicate or newspaper during the life of this contract."
>
> "(9) It is further agreed that neither of the parties hereto shall have the right to sell said feature or to authorize the use of the same—without the approval of both of the parties hereto, provided, however, that the foregoing shall in no way interfere with the exclusive right of the Chicago Sun Syndicate to sell said feature to newspapers, as herein provided."

Contract, December 10, 1942, Chicago Sun-The City Press Association of Chicago; Letter Contract December 14, 1942, Chicago Sun-The City Press Association of Chicago.

Contract, June 29, 1942, Chicago Sun Syndicate, Inc. Wander Company, for Feature "Captain Midnight":

> "Syndicate is engaged in furnishing drawings, cartoons and other features for publication in newspapers and periodicals and is desirous of obtaining the exclusive rights to publish and authorize others to publish in newspapers a continuous series of drawings or cartoons, to be furnished by Wander, based upon said radio programs and having as their principal character 'Captain Midnight,' based upon the character 'Captain Midnight' as developed in said radio programs."
>
> [fol. 1154] "(4) Wander grants to Syndicate the exclusive newspaper rights in the Captain Midnight Cartoons furnished hereunder and in any other drawing, cartoon or other visual depiction of the character 'Captain Midnight' based upon the radio character 'Captain Midnight,' including the exclusive right to publish and to authorize others to publish any such drawing, cartoon or visual depiction of the character 'Captain Midnight' in any newspaper anywhere in the world . . .

It is the intention hereof that, except as limited by paragraph 5, Syndicate shall have the exclusive right to exploit fully and completely the publication in newspapers of drawings, cartoons or any other form of visual depiction of the radio character 'Captain Midnight'."

Contract, October 29, 1942, Chicago Sun Syndicate-Carl Grubert, for Daily Comic Strip "The Berry's":

"(5) You (Grubert) agree not to produce, prepare or offer this or any similar or conflicting newspaper comic strip or page to any other syndicate or newspaper during the life of this contract."

Contract, December 31, 1942, Chicago Sun-United Features Syndicate, Inc., for Three Features:

"Eleventh Clause: The Syndicate agrees to suspend this contract in the event publisher ceases publication of The Chicago Sun."

Letter, January 6, 1943, Turner Catledge, Editor of The Chicago Sun, to the Bell Syndicate, Inc., Concerning John Kieran's Column.

[fol. 1155] Letter, January 5, 1943, Bell Syndicate, Inc.-Chicago Sun, Concerning John Kieran's Column (6 Months' Duration).

Letter, Chicago Sun-British Combine Photos, Ltd.

December 17, 1942.

Mr. K. E. Lewis, British Combine Photos, Ltd., 271 Madison Avenue, New York City.

DEAR MR. LEWIS:

This is to notify you that on and after December 31, 1942, The Chicago Sun will no longer guarantee to buy $200.00 worth of pictures from British Combine, per month.

This does not mean, however, that we are severing entirely our connection. We expect that your Chicago representative, Mr. Ludwig Jacobi, will continue to call on us at his pleasure and that we will buy on a per picture basis anything that our editors find acceptable.

As you no doubt know, we have subscribed to Acme Newspictures, Inc. for service and will depend on that service for the bulk of our pictures.

In the past our relations with you have been most happy and we hope to continue them, but necessarily on a more limited scope.

Very truly yours, Ned A. Bush, Assistant to the Managing Editor.

NAB:ek
cc Mr. Akers, Mr. Dale Harrison, Mr. Padulo.

[fol. 1156] [Letterhead of]

British Combine Photos, Ltd.

January 2, 1942.

Mr. George A. DeWitt, The Chicago Sun, 400 West Madison Street, Chicago, Ill.

DEAR MR. DEWITT:

This confirms your letter of December 30, 1941, and our acceptance of same.

British Combine Photos Ltd. agrees to offer for selection photographs whenever received, whether exclusive, or otherwise to the Chicago Sun. The Chicago Sun guarantees to purchase a minimum of $200 worth of photographs in each calendar month, and that such photographs purchased against this amount will be purchased on a per picture basis.

We have advised our Chicago Office accordingly.

Very truly yours, British Combine Photos, Ltd., (Signed.) J. E. Lewis.

Contract, October 17, 1941, Silliman Evans, for Marshall Field, and North American Newspaper Alliance, Inc., for John Lardner Sport Column and The World Today Column:

"The Alliance agrees to supply the Publisher, for use in the Publisher's said newspaper only, with the [fol. 1157] leased wire News service of the Alliance during not more than eight hours of each twenty-four hours throughout the term of this Agreement; and

that such service shall be six days a week (daily except Saturday night) exclusive to the Publisher in the Chicago territory, defined as a radius of seventy-five miles from the center of Chicago."

Contract, March 9, 1943, Chicago Sun-National Newspaper Service, for Feature "Draftie" (30-day Cancellation).

Letter, Chicago Sun-Harris & Ewing Photographic News Service

December 28, 1942.

Mr. Andrew J. May, Jr., Harris & Ewing Photographic News Service, 1313 Avenue F N. W., Washington, D. C.

DEAR MR. MAY:

Please accept this letter as your thirty day notice in cancellation of our existing contract with Harris & Ewing Photographic News Service effective February 5, 1943. This is in compliance with the notice period on the contract which provides optional renewal at the end of every three month period, the second three month period ending January 5, 1943.

As you no doubt know, we have subscribed to the full Acme Newspictures Incorporated service, and it is for this reason alone that we are cancelling our contract with you.

[fol. 1158] Our accounting department will, of course, continue regular payments through February 5, 1942.

Sincerely yours, Ned A. Bush, Assistant to the Managing Editor.

NAB:ek.

cc Mr. Akers, Mr. Catledge, Mr. Padulo, Mr. Randau, Mr. Timmons.

Contract, June 30, 1942, Chicago Sun-Harris & Ewing Photographic News Service

Agreement

This Agreement made this 30 day of June, 1942, by and between Harris & Ewing, a corporation organized and existing under the law of the District of Columbia, doing business at 1313 F Street, Northwest, in the City of Washington, party of the first part; and The Chicago Sun, of 400 West Madison Street, Chicago, Illinois, party of the second part.

Witnesseth: That whereas the party of the first part has offered to furnish the party of the second part with a photographic news service; and the party of the second part is desirous of taking advantage of said offer and using said service; Now, Therefore, it is hereby mutually agreed, as follows:

First: That said photographic news service shall consist of:

(a) A daily service of from six (6) to ten (10) pictures, including spot news pictures, new formal and informal pictures of personalities of current news in- [fol. 1159] terest; to include wire prints trimmed to machine size of each subject as well as regular prints for file purposes.

(b) Rushing negatives of completed assignments back to the office of the party of the first part by telegraph messenger, so that wire prints of all assignments covered up until two-thirty (2:30) P. M., will be ready for transmission, and all regular prints ready for shipment to Chicago.

(c) Picking up all Army-Navy and Governmental handouts and copying same, including wire and regular prints.

(d) The privilege of calling upon the files of the party of the first part for prints from any stock negatives.

(e) The covering of any special assignments requested by the party of the second part, Provided, However, that out-of-town assignments covered by the party of the first part at the special request of the party of the second part, will be billed to the party of the second part at the rate of Fifteen ($15.00) Dollars per day, plus expenses of photographer, and Provided Further, that such charges shall be in addition to any charges for the service contracted for by this agreement.

Second: The service covered by this agreement shall be exclusive to the party of the second part in the City of Chicago, in the State of Illinois.

Third: The consideration for the service to be rendered the party of the second part by the party of the first part shall be One Hundred Twenty-Five ($125.00) Dollars per

week, payable weekly, Except for additional charges as outlined in (e) above.

Fourth: The service hereinbefore mentioned shall commence as of July 6th, 1942.

[fol. 1160] Fifth: The term of this agreement shall be for a period of three (3) months from the date set forth in the preceding (Fourth) section. The party of the second part shall have the option of renewing this agreement, under the same terms and conditions, Except, the terms and conditions relating to the consideration for the service rendered the party of the second part by the party of the first part, (as outlined in the preceding (Third) section); which consideration shall be agreed upon by the parties hereto, at the time of the exercising of the option granted hereunder, for a period not to exceed an additional six (6) months, Provided, said party of the second part shall notify said party of the first part, in writing, at least thirty (30) days prior to the expiration of this agreement, of its intention to exercise its right of option hereunder.

Sixth: This agreement shall represent the whole agreement between the parties hereto, and no provisions, verbal or otherwise, amendatory thereof, or supplemental thereto, shall be valid or binding upon the respective parties, unless reduced to writing and accepted by both parties to this agreement.

In Witness Whereof, the parties hereto have, by their duly authorized representatives, caused these presents to be signed this 30 day of June, 1942, and acknowledged the same to be their act and deed.

Harris & Ewing Photographic News Service, By Andrew J. May, Jr.; Party of the First Part (Manager).

Witness:

The Chicago Sun, By W. Turner Catledge, Party of the Second Part, Editor—The Chicago Sun.

Witness: Isabelle Graham.

[fol. 1161] List of 365 Domestic Newspapers in 45 States and 32 Foreign Newspapers to which the Chicago Sun Syndicate, Inc., Has Furnished Features During the Period from December 1, 1941, to April 14, 1943

List of 69 Newspapers with which the Chicago Sun Syndicate Has Exclusive Contracts for Features Supplied by the Chicago Sun, and, in the Case of Allied Newspapers, Ltd., of London, England, for Wire Service (Foreign, Domestic and Washington)

List of Newspapers with which Parade Publication, Inc., Has Exclusive Contracts

The parties to each of the contracts listed below are Parade Publication, Inc., and the publisher of each of the newspapers listed below under the column headed "Newspaper". The date of such contract is set forth in the column headed "Date of Contract". Each of the contracts provides that Parade Publication, Inc. is to supply to the publisher of each of the newspapers listed below its weekly publication for circulation by such newspapers as part of one of their weekly editions. Some of the terms of each of the contracts are set forth in the column headed "Terms". Where the contract has been modified, the modified terms are given.

Newspaper	Date of Contract	Terms
Akron-Beacon-Journal	9/3/41	Exclusive right for territory within radius of 100 miles from Akron, O., except Pittsburgh, Pa., Wheeling, W. Va., Erie, Pa., Toledo, O. and Columbus, O. Period 2 years from 11/9/42.
Detroit Free Press	9/3/41	Exclusive right for Michigan. Period 2 years from 10/12/42.
[fol. 162]		
Bridgeport Post	10/21/41	Exclusive right for Bridgeport and Fairfield County, Conn. Period 1 year from 11/2/41, renewable from year to year with option of cancellation.
Chicago Sun	10/27/41	Exclusive right for Chicago. Period 1 year from 12/7/41, renewable from year to year with option of cancellation.
Denver Rocky Mt. News	3/31/42	Exclusive right for Colorado. Period 1 year from 4/19/42, renewable from year to year with option of cancellation.
El Paso Times	11/20/42	Exclusive right for El Paso trading area in Texas and Southern New Mexico. Period 1 year from 10/4/42, renewable from year to year with option of cancellation. Newspaper has option to take 16 page publication instead of usual 32.

Newspaper	Date of Contract	Terms
Florida Times-Union	1/1/42	Exclusive right for Florida except Miami and Tampa. Period: indefinite term cancellable on 90 days' notice. Newspaper takes 16 page publication instead of usual 32.
Nashville Tennessean	10/24/41	Exclusive right for Nashville. Period 3 years from 12/1/41, renewable for further terms of 3 years with option of cancellation. Newspaper takes 16 page publication instead of usual 32.
Newark Star-Ledger	9/23/41	Exclusive right for Newark and Northern New Jersey except Oranges. Period 1 year from 10/12/41, renewable from year to year with option of cancellation.
[fol. 1163]		
New Bedford Standard-Times	10/21/42	Exclusive right for New Bedford and 5 counties in Massachusetts. Period 1 year from 11/1/42, renewable from year to year with option of cancellation. Newspaper has option to take 16 page publication instead of usual 32.
Portland Sunday Telegram	2/25/42	Exclusive right for Maine. Period 6 months from 5/31/42 and further renewals for periods of 6 months with option of cancellation.
Syracuse Herald-American	11/25/41	Exclusive right for Syracuse. Period 1 year from 1/4/42, renewable from year to year with option of cancellation.
Toledo Times	7/31/42	Exclusive right for Ohio except Akron, Youngstown, Columbus, Dayton, Springfield and Cincinnati. Period 2 years from 10/4/42, renewable for further terms of 2 years with option of cancellation.
Washington Post	8/2/41	Exclusive right for territory within radius of 100 miles from Washington, except Baltimore, Md. and Richmond, Va. Period 5 years from 8/24/41 with right of cancellation as of end of each year.
Youngstown Vindicator	3/5/43	Exclusive right for Youngstown. Period 1 year from 3/21/43, renewable from year to year with option of cancellation. Newspaper has option to take 16 page publication instead of usual 32.

[fol. 1164]

Newspaper	Date of Contract	Terms
Chattanooga Times	9/27/41	Exclusive right for Chattanooga. Period 1 year from 9/28/41, renewable from year to year with option of cancellation. Newspaper took 16 page publication instead of usual 32. Contract terminated 11/15/42.
Charleston Daily Mail	6/29/42	Exclusive right for West Va. Period: indefinite term cancellable on 60 days' notice. Newspaper took 16 page publication instead of usual 32. Contract terminated 3/21/43.
Kansas City Journal	10/29/41	Exclusive right for Kansas City. Period 2 years. Contract terminated 3/28/42.
Knoxville Journal	12/7/41	Exclusive right for Knoxville. Period 6 months from 11/23/41, renewable for further periods of 6 months with option of cancellation. Contract terminated 6/21/42.
Peoria Star	10/24/41	Exclusive right for Peoria and 21 counties in Illinois. Period 1 year from 11/30/41, renewable for further periods of 1 year with option of cancellation. Contract terminated 3/29/42.
Winston-Salem Journal & Sentinel	9/23/41	Exclusive right for North Carolina, with exception (under certain conditions) of Asheville. Period: Indefinite term after 1/1/43 with option of cancellation on 30 days' notice. Newspaper took 16 page publication instead of usual 32. Contract expired 4/11/43.

[fol. 1165] List of 134 Associated Press Newspapers Whose Owners Executed Proxies for the Election of Marshall Field, the Owner of the Chicago Sun, as a Member of the Associated Press

Associated Press—Signed Proxies

The Decatur Daily	Decatur, Alabama
The Troy Messenger	Troy, Alabama
The Anniston Star	Anniston, Alabama
Log Cabin Democrat	Conway, Ark.
Northwest Arkansas Times	Fayetteville, Ark.
Paragould Daily Press	Paragould, Ark.

Associated Press—Signed Proxies—Continued

Petaluma Argus-Courier	Petaluma, Calif.
The Secramento Union	Sacramento, Calif.
The Herald	San Jose, Calif.
The Press Democrat and Santa Rosa Republican	Santa Rosa, Calif.
The Daily Sentinel	Grand Junction, Colo.
La Junta Daily Tribune	La Junta, Colo.
The Herald-Democrat	Leadville, Colo.
The Herald	Manchester, Conn.
Fort Lauderdale Daily News	Fort Lauderdale, Fla.
Gainesville Sun	Gainesville, Fla.
Suwannee Democrat	Live Oak, Fla.
The St. Augustine Record	St. Augustine, Fla.
The Augusta Chronicle	Augusta, Georgia
Augusta Herald	Augusta, Georgia
Brunswick News	Brunswick, Georgia
The Telegraph	Macon, Georgia
The Union-Recorder	Milledgeville, Georgia
The Observer	Moultrie, Georgia
Journal-Herald	Waycross, Georgia
The Daily News-Herald	Peru, Illinois
Breeze-Courier	Taylorville, Illinois
The Daily Bulletin	Blackfoot, Idaho
The Lewiston Morning Tribune	Lewiston, Idaho
Evening World	Bloomington, Ind.
The Kokomo Tribune	Kokomo, Ind.
Courier-Times	New Castle, Ind.

[fol. 1166]

Fort Wayne Journal Gazette	Fort Wayne, Ind.
The Daily Democrat	Shelbyville, Ind.
Daily Iowan	Iowa City, Iowa
Beloit Daily Call	Beloit, Kansas
Danville Advocate-Messenger	Danville, Ky.
Herald	Hazard, Ky.
The Princeton Leader	Princeton, Ky.
The Messenger	Madisonville, Ky.
Providence Enterprise	Providence, Ky.

Associated Press—Signed Proxies—Continued

The Crowley Daily Signal	Crowley, La.
Jeff Davis Parish News	Jennings, La.
Biddeford Daily Journal	Biddeford, Maine
Haverhill Evening Gazette	Haverhill, Mass.
Norwood Daily Messenger	Norwood, Mass.
Berkshire Evening Eagle	Pittsfield, Mass.
Michigan Daily	Ann Arbor, Mich.
Ludington Daily News	Ludington, Mich.
Daily Morning Journal	Marquette, Mich.
The Evening News	Sault St. Marie, Mich.
Daily Republican Eagle	Red Wing, Minn.
The Redwood Gazette	Redwood Falls, Minn.
Willmar Daily Tribune	Willmar, Minn.
Worthington Daily Globe	Worthington, Minn.
Delta Democrat Times	Greenville, Miss.
Commonwealth Daily Times Leader	West Point, Miss.
Carrollton Daily Democrat	Carrollton, Mo.
Constitution-Tribune	Chillicothe, Mo.
Sun-Gazette	Fulton, Mo.
Lebanon Daily News	Lebanon, Mo.
Macon Chronicle-Herald	Macon, Mo.
Daily Forum	Maryville, Mo.
Daily News and Intelligencer	Mexico, Mo.
Nevada Daily Mail and Evening Post	Nevada, Mo.
Springfield Daily News	Springfield, Mo.
Republican-Times	Trenton, Mo.

[fol. 1167]

Bozeman Daily Chronicle	Bozeman, Mont.
Lewistown Democrat-News	Lewistown, Mont.
Evening Telegram	Lewistown, Mont.
Daily News	Norfolk, Neb.
The Dartmouth	Hanover, N. H.
Morristown Daily Record	Morristown, N. J.
Paterson Morning Call	Paterson, N. J.
Vineland Times-Journal	Vineland, N. J.
The Leader	Wildwood, N. J.

Associated Press—Signed Proxies—Continued

Daily Independent	Gallup, N. M.
Las Cruces Sun-News	Las Cruces, N. M.
Citizen Advertiser	Auburn, N. Y.
Corning Leader	Corning, N. Y.
Cornell Daily Sun	Ithaca, N. Y.
Kingston Daily Freeman	Kingston, N. Y.
The Norwich Sun	Norwich, N. Y.
Charlotte News	Charlotte, N. C.
Gastonia Daily Gazette	Gastonia, N. C.
Hickory N. C. Daily Record	Hickory, N. C.
The Daily Independent	Kannapolis, N. C.
Twin City Daily Times	Morehead City, N. C.
The Robesonian	Lumberton, N. C.
The Pinehurst Outlook	Pinehurst, N. C.
Shelby Daily Star	Shelby, N. C.
Dayton Journal-Herald	Dayton, Ohio
Journal-News	Hamilton, Ohio
Eagle-Gazette	Lancaster, Ohio
Mail-Tribune	Medford, Ore.
Bangor Daily News	Bangor, Pa.
Montrose Independent	Montrose, Pa.
The Daily Review	Towanda, Pa.
Times-Mirror	Warren, Pa.
The Gazette & Daily	York, Pa.
The State	Columbia, S. C.
Sumter Daily Item	Sumter, S. C.
The Union Daily Times	Union, S. C.

[fol. 1168]

Evening Huronite	Huron, S. D.
Madison Daily Leader	Madison, S. D.
Clarksville Leaf-Chronicle	Clarkesville, Tenn.
Elizabethton Daily Star	Elizabethton, Tenn.
Kingsport Times	Kingsport, Tenn.
Daily Gazette and Mail	Morristown, Tenn.
Nashville Tennesseean	Nashville, Tenn.
Daily News Journal	Murfreesboro, Tenn.
Daily Messenger	Union City, Tenn.

Associated Press—Signed Proxies—Continued

Beaumont Journal	Beaumont, Tex.
Enterprise	Beaumont, Tex.
Edinburg Valley Review	Edinburg, Tex.
Laredo Times	Laredo, Tex.
Orange Leader	Orange, Tex.
Sherman Democrat	Sherman, Tex.
Temple Daily Telegram	Temple, Tex.
Times-Herald	Waco, Tex.
Rutland News	Rutland, Vt.
Lynchburg News	Lynchburg, Va.
The Daily Advance	Lynchburg, Va.
Martinsville Daily Bulletin	Martinsville, Va.
The Southwest Times	Pulaski, Va.
Suffolk News-Herald	Suffolk, Va.
News-Virginian	Waynesboro, Va.
Sheboygan Press	Sheboygan, Wis.
Wyoming State Tribune	Cheyenne, Wyo.
Anchorage Times	Anchorage, Alaska
Daily Alaska Empire	Juneau, Alaska
Star & Herald	Panama, R. of P.
El Mundo	Tampico, Mexico

Contract, February 9, 1943, Marshall Field, Doing Business as The Chicago Sun-The Chicago Daily News, Inc.:

"Article I. Section (a)(1). Daily News will compose, cast, print and perform all duties incident to the mechanical production of The Chicago Sun, which is [fol. 1169] a seven-day-a-week morning newspaper, hereinafter termed the 'Sun' and will, so far as reasonably possible, deliver each issue of said newspaper to the loading platform of Daily News at such time or times as is required in the publication of The Sun and in reasonable volume to be specified by Field."

"Article I. Section (b). Daily News will supply to Field for his offices, to be used solely for the publication of The Sun, the space in the Chicago Daily News Building, shown on the plan attached hereto and the

Want Ad Counter in the concourse of said building in its present location."

"Article IV. Section (b). Field may use the library and morgue of Daily News, but any use which Field makes thereof shall be upon his sole responsibility, and, similarly any use which Daily News shall make of any additions by him to said library and morgue shall be upon the sole responsibility of Daily News. Field undertakes to make full inquiries with reference to copyrighted pictures or reading matter and with reference to pictures or reading matter the use of which is limited by contract or agreement, and undertakes to indemnify and to hold Daily News harmless from any and all liability of every character whatsoever caused or occasioned by the use thereof by Field, * * *"

"Article V. Section (b)(1). If Field shall at any time during the term of the agreement suspend or discontinue publication of The Sun, he may terminate this agreement, or, if Field shall die, his executors or administrators may terminate this agreement, on ninety (90) days' notice in either case, upon payment of:

"a. The portion of the building alterations not theretofore amortized pursuant to Article II, Section (g) of this agreement;

"b. The amounts due, as specifically reimbursible costs under Section (b), and as additional percentage [fol. 1170] under Section (f), of Article II, to the earliest date, after the date of suspension or discontinuance on which such costs can, respectively, be discontinued."

"c. The amounts due as incremental costs of Daily News under Section (g) of Article II; and

"d. The amounts due, as office rental and charges for use of plant, under Sections (d) and (e) of Article II to the date of termination."

Contract, October 9, 1941, Marshall Field-Chicago Daily News, Inc.

"Whereas, Field desires to publish a six-day-a-week or a seven-day-a-week morning newspaper in Chicago and lease space for offices for said newspaper and to

arrange for its mechanical production and Daily News has available the space for said offices and the facilities for the mechanical production thereof and is willing to lease said space and to assume such mechanical production,

"Now, Therefore, in consideration of the mutual undertakings herein the parties hereby agree (1) Daily News will compose, cast, print and perform all duties incident to the mechanical production of the morning newspaper of Field, and will so far as reasonably possible, deliver each issue of said newspaper to the loading platform of Daily News at such time or times as is required in the publication of a morning newspaper and in reasonable volume to be specified by Field, the said newspaper to be in the same page size as the newspaper now published and printed by Daily News."

"IV. * * *

"Field is granted the privilege of using the library and morgue of Daily News, but it is expressly under-[fol. 1171] stood that any use which Field makes thereof shall be upon his sole responsibility, and similarly any use which Daily News shall make of any additions by him to said library and morgue shall be upon the sole responsibility of Daily News. Field undertakes to make full inquiries with reference to copyrighted pictures or reading matter and with reference to pictures or reading matter the use of which is limited by contract or agreement, and undertakes to indemnify and to hold Daily News harmless from any and all liability of every character whatsoever caused or occasioned by the use thereof by Field, * * *"

"V. * * *

"Either party may terminate the contract at the end of the first twelve months. * * *"

EXHIBIT 4-A

Letter, April 5, 1943, Tom C. Clark, Assistant Attorney General, to Mrs. Elinor Medill Patterson and Exhibit 4-B, Enclosure in Said Letter Omitted in Printing

Exhibit 5

Contract, February 28, 1939, Elinor M. Patterson-King Features Syndicate, Inc., International News Service Department

Agreement

Made the 28th day of February, 1939, at New York, N. Y., between King Features Syndicate, Inc., a New York corporation, International News Service Department, hereinafter referred to as International News Service, and Eleanor M. Patterson doing business as Washington Times Herald, the owner and publisher of the newspaper hereinafter named, hereinafter called the Publisher.

[fol. 1172] Witnesseth: That for and in consideration of the sum of one Dollar ($1.00) by each to the other in hand paid, the receipt whereof is hereby acknowledged, and of the mutual covenants herein contained, the parties hereto have agreed:

First: International News Service hereby bargains and sells to the Publisher, exclusively in the City of Washington, the right and privilege of publishing in the Washington Times Herald a newspaper printed in the English language at Washington, D. C., its report as hereinafter described to wit: full day leased wire report delivered by automatic printer telegraph machines between the hours of 5 a. m. and 6 p. m., daily except Sunday, and a Sunday short wire delivered between the hours of 11 a. m. and 3 p. m., and the complete race and baseball wire, six days weekly, this race wire to guarantee delivery of complete race results at all recognized tracks and INS to guarantee complete delivery of all baseball box scores and agrees as far as practicable to deliver to the Publisher such news report.

Said above described report shall be filed to the Publisher at New York and Washington, or elsewhere, if International News Service so elects.

* * * * * * *

Sixth. It is mutually agreed that International News Service reserves the right to make working arrangements and exchanges of news and wire facilities with other press associations, publishers or persons and to sell said news

report to any other party or parties except in the afternoon (evening) newspaper field in the City of Washington.

Seventh. It is further mutually agreed that International News Service, shall, in no event, be liable to the Publisher for any loss, injury, or damage that the Publisher may sustain, or be compelled to pay by reason of the pub-
[fol. 1173] lication of any matter furnished to the Publisher by International News Service.

EXHIBIT 6

List Marked "Exhibit No. 6", Containing Names of 26 F. B. I. Employees Who Interviewed 66 A. P. Newspaper Members, and Date of Interviews, of Which 41 Were Representatives of Illinois Newspapers Omitted in Printing.

EXHIBIT 7

List Marked "Exhibit No. 7" of Reports With Dates and Names of F. B. I. Agents, and Bureau File Numbers Omitted in Printing.

[fol. 1174] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

REQUESTS BY THE DEFENDANT, THE ASSOCIATED PRESS, FOR ADMISSIONS BY THE PLAINTIFF, AND THE PLAINTIFF'S RESPONSES

* * * * * * *

[fol. 1175] REQUEST FOR ADMISSIONS

Defendants, The Associated Press, Paul Bellamy, George Francis Booth, John Cowles, William Hutchinson Cowles, Edward King Gaylord, Houston Harte, Josh L. Horne, Clark Howell, Jr., Joseph Russell Knowland, Robert McLean, Leonard Kimball Nicholson, Frank Brett Noyes, Paul Patterson, Stuart Hoffman Perry, E. Lansing Ray, Edward Hubert Butler, The Adrian Telegram, The A. S. Abell Com-

pany, Bulletin Company, The Constitution Publishing Company, Cowles Publishing Company, The Evening Star Newspaper Company, Forest City Publishing Company, The Kansas City Star Company, The Oklahoma Publishing Co., The Register and Tribune Company, Rocky Mount Publishing Co., Globe Democrat Publishing Co., San Angelo Standard, Inc., The Times-Picayune Publishing Company, The Tribune Publishing Co., and Worcester Telegram Publishing Co., Inc., pursuant to Rule 36 of the Federal Rules of Civil Procedure, hereby request the plaintiff to make on or before May 29, 1943, the following admissions of fact.

[fol. 1176] That each of the following statements is true:

1. Attached hereto and marked Exhibit A is a true and correct copy of a letter dated March 12, 1915, signed by T. W. Gregory, Attorney General of the United States, and sent to James M. Beck, Esq., counsel for The Sun Printing and Publishing Association, following the filing with the Department of Justice of a complaint by The Sun Printing and Publishing Association against The Associated Press for alleged violations of the Federal Anti-Trust Act.

2. For forty-two years last past, the United States of America has not brought to any court or governmental body any complaint that the provisions of the by-laws of The Associated Press constituted an undue or unreasonable restraint of trade, or that The Associated Press had monopolized or attempted to monopolize the collection of news.

3. The Associated Press is a mutual, cooperative association of over 1,200 members who are the owners of newspapers publishing in the United States, territorial possessions thereof and in certain other parts of the Western Hemisphere.

4. The comprehensiveness of the news coverage by The Associated Press is dependent in large part upon the willingness of its members to expend time, effort and money in gathering the news of their respective vicinages and in furnishing it to The Associated Press.

5. The comprehensiveness of the news coverage by The Associated Press is dependent in large part upon the loyalty and cooperation of its members in furnishing all the news of interest of their respective vicinages to The Associated Press.

6. The comprehensiveness of the news coverage of The Associated Press would not be materially enhanced by the [fol. 1177] election into membership of a newspaper in a locality adequately covered from a local news standpoint by an existing member or members.

7. No by-law, rule or resolution of The Associated Press prescribes that The Associated Press members may not purchase or otherwise obtain the services of rival or competing news agencies, such as the United Press Associations or International News Service.

8. Over four hundred members of The Associated Press subscribed to the services of United Press Associations or International News Service, or both, in September, 1941.

9. The value of news lies in its exclusiveness, reliability and newness.

10. News is a report of the happening of an event.

11. The original source of news lies in the event itself.

12. The Associated Press does not, nor does it attempt to, prevent non-member newspapers or rival or competing news agencies from obtaining access to the original sources of news.

13. The growth of competing news agencies has been fostered as a result of the restriction of The Associated Press's service to its own members.

14. The facilities for the transmission of news and pictures, such as telephone, telegraph, radio and cables, are available to all on an equal basis.

15. The United Press Associations, International News Service or any other person or organization interested in transmitting news or pictures can, individually, if they so desired and were willing to assume the cost, utilize transmission facilities similar to those utilized by The Associated Press.

[fol. 1178] 16. The term "leased wire" as commonly used by news agencies means a subscription to a service furnished by telephone, telegraph or cable companies, under which such companies agree for a fee to provide facilities for sending news reports and news pictures to specified points.

The arrangement is similar to that of the ordinary telephone subscription.

17. The Associated Press does not have the exclusive right to use any particular telephone or telegraph or cable wire. The control of the wires and cables and the particular route over which news and pictures travel at any given time is exclusively in the discretion of the respective utility companies providing the transmission facilities.

18. The cooperative character of The Associated Press is directly responsible for the excellence, completeness and unbiased nature of its news reports.

19. Daily newspapers in the United States have existed for many years and still do exist without membership in The Associated Press.

20. Daily newspapers in the United States subscribing to the services of the United Press Associations have existed for many years and still do exist without membership in The Associated Press.

21. Daily newspapers in the United States subscribing to International News Service have existed for many years and still do exist without membership in The Associated Press.

22. A number of large metropolitan newspapers and small groups of newspapers gather and distribute a large proportion of the news of outstanding world events printed by them and by others to whom such newspapers in turn sell the news so gathered and transmitted by their individual effort and initiative. Among such newspapers are: [fol. 1179] The Chicago Sun, The New York Times, The New York Herald Tribune, The Chicago Tribune and The Chicago Daily News.

23. The data relating to newspapers and news agencies published by Editor and Publisher in its International Year Books is accepted and relied on by newspapers and news agencies as substantially accurate and reliable.

24. Circulation data relating to newspapers published by the Audit Bureau of Circulations is accepted and relied on by newspapers and news agencies as substantially accurate and reliable.

25. The data concerning newspapers, new-paper features, pictures and news syndicates contained in N. W. Ayer & Son's Directory of Newspapers and Periodicals is accepted and relied on by newspapers and news agencies as substantially accurat, and reliable.

26. The list of the members of the press and the newspapers and news agencies represented by them, entitled to admission to the Press Galleries of the House of Representatives and the Senate of the United States on May 26, 1942, contained on pages 709 to 719, inclusive, of the June, 1942 Congressional Directory is true and correct.

27. A true and correct list of the newspapers and news agencies represented in the Press Galleries of the House of Representatives and the Senate of the United States on May 26, 1942, is contained on pages 720 to 729, inclusive, of the June, 1942 Congressional Directory.

28. A true and correct list of the members of the White House News Photographers' Association and the organizations represented by them as of May 26, 1942 is contained on pages 731 to 734, inclusive, of the June, 1942, Congressional Directory.

[fol. 1180] 29. The following is a true and correct copy of the rules governing the Press Galleries of the House of Representatives and the Senate of the United States as of May 26, 1942:

"Rules Governing Press Galleries

"1. Persons desiring admission to the Press Galleries of Congress shall make application to the Speaker, as required by rule XXXV of the House of Representatives, and to the Committee on Rules of the Senate, as required by rule IV for the regulation of the Senate Wing of the Capitol; and shall state in writing the names of all newspapers or publications or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not engaged in the prosecution of claims pending before Congress or the departments, and will not become so engaged while allowed admission to the galleries; that they are not employed in any legislative or executive department of the Government, or by any foreign Government

or any representative thereof; and that they are not employed, directly or indirectly, by any stock exchange, board of trade, or other organization, or member thereof, or brokerage house, or broker, engaged in the buying and selling of any security or commodity or by any person or corporation having legislation before Congress, and will not become so engaged while retaining membership in the galleries. Holders of visitor's cards who may be allowed temporary admission to the galleries must conform to the restrictions of this rule.

"2. The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of correspondents who shall see that the occupation of the galleries is con- [fol. 1181] fined to bona fide correspondents of reputable standing in their business, who represent daily newspapers or newspaper associations requiring telegraphic service; and it shall be the duty of the standing committee at their discretion, to report violation of the privileges of the galleries to the Speaker, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended.

"3. Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to admission to the Press Galleries; and the Press List in the Congressional Directory shall be a list only of persons whose chief attention is given to telegraphic correspondence for daily newspapers or newspaper associations requiring telegraphic service.

"4. Members of the families of correspondents are not entitled to the privileges of the galleries.

"5. The Press Galleries shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the House of Representatives and the Senate Committee on Rules."

"Approved.

Sam Rayburn, Speaker of the House of Representatives.

Approved by the Committee on Rules of the Senate."

30. Attached hereto and marked Exhibit B is a true and correct copy of the Final Decree entered in the office of the Clerk of the United States District Court for the Southern District of New York on or about May 19, 1919, [fol. 1182] in an action brought in said court entitled "*Associated Press* vs. *International News Service*."

31. Attached hereto and marked Exhibit C is a true and correct copy of a letter dated November 15, 1941, signed by Marshall Field and sent to J. D. Gortatowsky.

32. The Washington, D. C. Times Herald has been published as a daily paper since 1939.

33. The daily average circulation of the Washington, D. C. Times Herald has risen from over 180,000 copies in 1939 to over 220,000 copies in 1942.

34. The Chicago Sun has been published continuously since December 4, 1941.

35. The Chicago Sun attained a daily average circulation of over 277,000 in less than one year after commencing publication.

36. The average monthly Sunday circulation of The Chicago Sun for the months of July, 1942 to March, 1943, inclusive, was as follows:

July,	1942	327,837
August,	"	350,353
September,	"	386,467
October,	"	395,476
November,	"	402,732
December,	"	404,413
January,	1943	405,741
February,	"	406,271
March,	"	406,822

37. The Chicago Sun as of September 30, 1942 had the eleventh largest morning circulation in the United States.

38. Excluding tabloids, The Chicago Sun as of September 30, 1942 ranked eighth in circulation among the morning papers in the United States.

[fol. 1183] 39. On January 17, 1943, Marshall Field stated in The Chicago Sun as follows:

"Since last July The Sun's circulation has increased every month.

"This record of first year growth has never been approached by any newspaper in the entire history of American journalism.

"As a matter of fact, The Sun stands today eleventh among all the 356 morning newspapers in the United States.

* * * * * * *

"We established The Sun on fundamental business principles and after a reasonable initial investment we expect and know that the paper, like any other successful business enterprise, will show a profit."

40. The statements made by Marshall Field referred to in the previous paragraph were true when made.

41. Attached hereto and marked Exhibit D is a true and correct copy of an advertisement published in The Chicago Sun Monday, January 25, 1943.

42. On January 20, 1943, in a statement published in The Chicago Sun, Turner Catledge, editor of The Chicago Sun, said:

"We are proud of the success that has met our enterprise."

43. On or about October 25, 1942, the Promotion and Research Department of The Chicago Sun issued a statement entitled "Let's Look at the Record", a true and correct copy of which is attached hereto and marked Exhibit E.

44. Attached hereto and marked Exhibit F is a copy of an advertisement issued by The Chicago Sun in September, 1942.

[fol. 1184] 45. Attached hereto and marked Exhibit G is a true and correct copy of an advertisement published by The Chicago Sun in Editor & Publisher Magazine for November 21, 1942.

46. In a brochure entitled "Sun Rise" issued by The Chicago Sun in or about December, 1942, the following statements appear:

"Proof that The Sun was a dynamic newspaper * * * equipped to deliver the news accurately, fairly and first-in-a-crisis * * * came on the fourth

day of publication. When the cables burned with the story of Pearl Harbor, the Sun reacted with veteran coolness and was on the streets first * * * ahead of its 95-year-old rival * * * with one of the most important war extras in Chicago history.

"Since then the Sun has consistently delivered to its readers a large number of exclusive local, national, and foreign news stories. In fact, the Sun has regularly given its readers more news for their money than any other Chicago paper, and more than all but three papers in America: The New York Times, New York Herald Tribune, and Philadelphia Inquirer.

* * * * * * * *

"The steady rise of The Sun's daily circulation during recent months * * * a more consistent rise than that of any other Chicago newspaper during the same period * * * shows that Chicago morning newspaper readers have a growing appetite for facts accurately presented!"

47. Attached hereto and marked Exhibit H is a true and correct copy of page 8 in a brochure issued by The Chicago Sun, entitled "Sun Rise".

48. Attached hereto and marked Exhibit I is a true and correct copy of page 12 of a brochure issued by The Chicago Sun and entitled "Sun Rise".

[fol. 1185] 49. Attached hereto and marked Exhibit J is a true and correct copy of page 13 of a brochure issued by The Chicago Sun and entitled "Sun Rise".

50. Attached hereto and marked Exhibit K is a true and correct copy of pages 21-28 of a brochure issued by The Chicago Sun, entitled "Sun Rise".

51. Attached hereto and marked Exhibit L is a true and correct copy of an advertisement appearing in the Editor & Publisher Magazine on April 24, 1943.

Dated: New York, N. Y., May 18, 1943.

Yours, &c., Milbank, Tweed & Hope, By (S.) Morris Hadley, A Member of the Firm, 15 Broad Street, New York, N. Y., Attorneys for Defendants, The Associated Press, et al.

To: Francis Biddle, Attorney General of the United States, Washington, D. C.; Tom C. Clark, Assistant Attorney General of the United States, Washington, D. C.; John Henry Lewin, Charles H. Weston, Charles B. Rugg, Special Assistants to the Attorney General, Washington, D. C.

[fol. 1186] EXHIBIT A

Department of Justice,

Washington, D. C.

March 12, 1915.

James M. Beck, Esq., 55 Wall Street, New York, N. Y.

SIR:

I have given consideration to the complaint against The Associated Press for alleged violations of the Federal Anti-Trust Act presented to my predecessor by you as counsel for the Sun Printing and Publishing Association.

The Associated Press was organized under the Membership Corporations Law of the State of New York. According to its certificate of incorporation it is—

> an association of certain persons, who, owning or representing certain newspapers, unite in a mutual and cooperative organization for the collection and interchange, with greater economy and efficiency, of information and intelligence for publication in the newspapers owned or represented by them.

The objects of the Association, as stated in the certificate, are:

> to gather, obtain and procure by its own instrumentalities, by exchange with its members and by any other appropriate means, any and all kinds of information and intelligence, telegraphic and otherwise, for the use and benefit of its members and to furnish and supply the same to its members for publication in the newspapers owned or represented by them, under and subject to such regulations, conditions and limitations as may be prescribed by the By-Laws; and the mutual cooperation, benefit and protection of its members.

[fol. 1187] The certificate further provides that:

> The Corporation is not to make a profit nor to make or declare dividends and is not to engage in the business of selling intelligence, nor traffic in the same.

Those eligible for membership are thus described in the By-Laws, Article II., Section 1:

> The sole or part owner of a newspaper, or an executive officer of a corporation, limited liability company, or joint stock or other association which is the owner of a newspaper, shall be eligible to election as a member of this Corporation, in the way and upon and subject to the conditions and limitations hereinafter specified, provided that not more than one person at a time shall be eligible by reason of connection with any one newspaper. No other person shall be eligible.

Members may be elected by the affirmative vote of not less than four-fifths of all the members of the corporation (By-Laws, Art. III., Sec. 1).

Members may also be elected by the Board of Directors, when no meeting of the members of the Corporation is in session, but no applicant for membership can be elected by the directors over the opposition of any member entitled to the right of protest (Art. III., Sec. 2). The right of protest is the right to object to the admission of new members from a given territorial district (Art. III., Sec. 5). It can only be conferred by the affirmative vote of seven-eighths of all the members (Art. III., Sec. 6).

The right of protest has no application to the election of applicants by a four-fifths vote of the members themselves.

Each member is entitled to one vote by virtue of his membership (Art. VII., Sec. 1), and also a vote for each $25 of the bonds of the Association registered in his name up to $1,000, provided he waive interest on the bonds (Art. XII., Sec. 3).

[fol. 1188] The affairs of the corporation are managed by fifteen directors, who are elected by the members of the corporation and must themselves be members (Art. V., Secs. 1, 2, 4).

The cost of maintaining the news service of the corporation and all other expenses of the corporation are appor-

tioned among the members by the board of directors in such manner as it may deem equitable (Art. IX., Sec. 1).

Broadly stated, the news distributed by The Associated Press comes to it in two ways: First, from the reports made to it by the various members of happenings in their respective localities; and second, from correspondents, reporters and other agencies employed by it directly. The news of the world thus brought together is then distributed by The Associated Press to its members, principally, of course, by telegraph. To that end it leases and operates in the neighborhood of 30,000 miles of telegraph lines.

The principal grounds of complaint are:

1. That the members of The Associated Press are prevented or at least seriously hindered from obtaining news by purchase or otherwise from any rival agency.

2. That the members of The Associated Press are prohibited from furnishing the news collected by them respectively to any newspaper which is not a member.

3. That through the operation of the right of protest above described a newspaper in a given locality applying for membership cannot be elected without the consent of the members in that locality.

Assuming that the kind of service in which The Associated Press is engaged is interstate commerce (a question not free from doubt), I am nevertheless of the opinion that it is no violation of the Anti-Trust Act for a group of newspapers to form an association to collect and distribute [fol. 1189] news for their common benefit, and to that end to agree to furnish the news collected by them only to each other or to the Association; provided that no attempt is made to prevent the members from purchasing or otherwise obtaining news from rival agencies. And if that is true the corollary must be true, namely, that newspapers desiring to form and maintain such an organization may determine who shall be and who shall not be their associates.

This, of course, is not to say that such an association might not develop into an unlawful monopoly. The facts adduced, however, in my opinion do not show that that has happened in the case of The Associated Press.

This disposes of the second and third grounds of complaint based on the requirement that members of the Asso-

ciation shall not furnish the news collected by them to anyone outside the Association, and on the restrictions as to membership.

As regards the first ground of complaint, assuming as I do that the collection and distribution of news amongst the several States is interstate trade or commerce, any bylaw or other regulation adopted by The Associated Press which would have the effect of preventing or seriously hindering its members from purchasing or otherwise obtaining news from a rival agency would be, I think, a restraint upon interstate trade or commerce and an attempt to monopolize. The contention that The Associated Press has imposed such a regulation upon its membership, or at least has the power to do so, has a foundation in Section 7 of Article VIII. of the By-Laws, which reads as follows:

> Experience having shown that it is very difficult, if not impossible, to avoid or prevent violation of the rules prescribed by the last preceding section, or to detect or prove any such violation, if the members are permitted to purchase news from other associations, and that such purchase may be seriously prejudicial to the interest and welfare of this Corporation and its members, the Board of Directors may, in their discretion, [fol. 1190] forbid the members to purchase intelligence from any other such association.
>
> When the Board of Directors by a vote of two-thirds of all its members shall decide and notify any member that the purchase or receipt of news from any other person, firm, corporation or association, not a member of this Corporation, or represented in this Corporation by a member, or any other action by such member, establishes a condition that will be likely to permit the news of the Corporation to be disclosed to unauthorized persons, such members shall immediately discontinue purchasing or receiving such news, or such other objectionable action. The decision of the Board of Directors as to the establishment of such condition shall be final and the fact shall not thereafter be open to question by a member.

The President of The Associated Press states that the power reserved in this by-law has not been exercised. As I understand, the complainant disputes that assertion. It

is not necessary, however, for me to determine that issue of fact, since my conclusion is that this by-law, whether it has been enforced or not, should be abrogated. I am advised by the President of the Associated Press that that will be done promptly.

The following resolution of the Board of Directors of The Associated Press is also pointed to as an obstacle in the way of the members of The Associated Press obtaining the service of any rival agency:

> *Resolved*, That the placing of an operator of any other news-gathering or distributing association in the office of an Associated Press paper is a step which establishes a condition which will be likely to permit the news of this corporation to be disclosed to unauthorized persons and so endangers the inviolability of the news service of The Associated Press, that it is seriously prejudicial to the interest and welfare of this Corpora- [fol. 1191] tion and its members and the Board of Directors, by authority of the By-Laws, hereby forbid any member of The Associated Press from so placing an operator of any other news-gathering or distributing association in his office or building. (February 20, 1901.)

I am not prepared to say, however, that this regulation has no reasonable relation to a legitimate end, namely, preventing representatives of rival agencies from coming into possession before publication of news collected by The Associated Press.

Nor am I convinced that the regulation seriously hinders members of The Associated Press desiring to obtain the service of another news agency. On the contrary, my information is that some of them do obtain news from other agencies, whilst at the same time complying with this regulation. As further showing that a news agency may serve a newspaper without an operator in the office of the newspaper, I refer to the statement made to me by the President of The Associated Press to the effect that many of its members have neither an operator nor a wire of the Association directly in their offices, but receive the news items by messengers and other means of communication. If my information on these points is incorrect I shall be glad to have it corrected.

It is perhaps unnecessary for me to point out that if the Sun Printing and Publishing Association is not satisfied with the conclusions I have reached it may itself bring suit against The Associated Press, either for an injunction or for damages, and thereby obtain a judicial determination as to the merits of its complaint.

Regretting that the pressure of other business entitled to priority as to time of consideration has prevented an earlier disposition of this complaint, I am, sincerely yours,

T. W. Gregory, *Attorney General.*

[fol. 1192] EXHIBIT B

UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NEW YORK

ASSOCIATED PRESS

vs.

INTERNATIONAL NEWS SERVICE

FINAL DECREE

An order having been made by this Court, dated July 7, 1917, upon the mandate from the United States Circuit Court of Appeals for the Second Circuit, finding the facts as stated therein and granting a preliminary injunction in accordance with the prayer of the bill of complaint, and the mandate and decree of the said Circuit Court of Appeals having been affirmed upon certiorari by the Supreme Court of the United States and the mandate of the Supreme Court of the United States, bearing date the 6th day of February, 1919, having been filed in this Court, this cause came on to be heard at this time and thereupon upon consideration thereof, and upon the consent in writing and in open court of the defendant given by its solicitor to the making and entry of this decree, and it being established to the satisfaction of the Court

(1) That the complainant is a co-operative organization engaged in gathering from sources all over the world and distributing to its member- and to newspapers represented by them, all kinds of information, news and intelligence, telegraphic and otherwise, for publication in the said news-

papers; that the defendant is a corporation engaged in a similar business for its own profit and not as a co-operative organization; that the value of the service to each of the parties hereto to its members or customers largely depends upon the requirement that news which it collects shall be transmitted to its members and their newspapers earlier than similar information can be furnished to other com- [fol. 1193] peting newspapers, and that such news shall not be furnished to other newspapers than those of its members or customers, as the case may be, who cooperate in the expense of its work; that an essential part of the operation of the complainant and also of the defendant is that news collected by them shall remain confidential and not be sold or published by any rival news agency until a reasonable opportunity shall be afforded for publication by all of their respective members or customers.

(2) That the By-Laws of the complainant to which each of its members agrees upon assuming membership provide that news received through complainant's service shall be published exclusively in the newspapers, language and place specified in the certificate of membership; that members shall permit no other use to be made of it whatever; that no member shall furnish or permit any of its employees or anyone connected with its newspaper to furnish any of said news in advance of publication to any other person, or to furnish even to another member any of such news which the complainant itself is debarred from furnishing to such member, or to conduct its business in such a manner that any of such news may be communicated to anyone else not entitled to receive it, or to furnish or permit anyone else to furnish to anyone outside the membership of the complainant any of the news which the respective member is required by the By-Laws to supply to the complainant, which includes the local news of his district.

That the defendant furnishes the news and information collected by it to its customers under an express understanding and agreement with such customers that the same will not be furnished or communicated by them to any other person or persons and that it will remain confidential and secret until it has been regularly published by them in their newspapers.

(3) That the annual cost to the complainant of its news gathering and distribution to its 800 members is very great, [fol. 1194] being in the year 1915 about $3,500,000, all of which cost was assessed among the members on a cooperative basis as provided by the By-Laws; and that the annual cost to the defendant of its news gathering and distribution to its 450 customers is very great, amounting to upwards of $2,000,000.

(4) That defendant has engaged in obtaining and selling to its clients for publication by them complainant's dispatches before their publication, and has employed and paid one B. E. Cushing, the telegraph editor of the Cleveland News, a paper holding a certificate of membership from The Associated Press, to furnish it, for sale to its clients and publication by them, not only with the local news of the Cleveland district, but also with a substantial amount of other and particularly of foreign news which had come to the said Cleveland News from The Associated Press and over its wire; and that such service by the said B. E. Cushing was in violation of his obligations as an employee of the said Cleveland News and of its obligation as a member of The Associated Press.

(5) That defendant has repeatedly taken news furnished by the complainant to its member representing the New York American by causing the dispatches to be taken on its behalf after being received over the Morkrum receiving machine, before publication thereof.

(6) That defendant has taken and sold to its clients for publication by them, complainant's news, taken either from bulletin boards or early editions of newspapers published by complainant's members, either transcribing them bodily or rewriting them, but in either case without original investigation by its own agencies and without expense; and thereby it has enabled its own subscribers to publish the said news dispatches in competition with complainant's members.

[fol. 1195] (7) That complainant has not authorized any of the aforesaid practices and such instances, if any, as may have occurred have been contrary to its rules.

(8) That the complainant's rules and the practices authorized by its officers have been to use defendant's published

dispatches only as rumors and to cause them, if important, to be investigated at the points of origin by complainant's own representatives and at its own expense and then to distribute to its members such reports as its own investigations shall have justified.

(9) That in the particulars aforesaid, defendant has acted unfairly in competition with the complainant.

(10) That in the particulars aforesaid, and each of them, the defendant has greatly injured and is injuring the complainant and its members, and has been, and is, depriving them of the just benefits of their labors and expenditures, and has been, and is, causing them irreparable damage, for which they are without adequate or substantial relief except by the interposition of this Court by its order of restraint and injunction.

Now, Therefore, upon motion of Stetson, Jenning & Russell, solicitors for the complainant, it is

Ordered, Adjudged and Decreed that the defendant, its officers, agents, servants, employees, assigns, successor and successors, and each of them, and all other persons acting for them, or any or either of them, and all persons aiding or abetting them or any of them, and all persons whosoever, though not named herein, be and hereby are perpetually enjoined and restrained

(a) From inducing, procuring or permitting any telegraph editors or other employees or agents of the complainant or any of its members or of any newspaper [fol. 1196] or newspapers owned or represented by them or any of them, or any such members, to communicate to defendant or to permit defendant to take or appropriate, for consideration or otherwise, any news received from or gathered for complainant, and from purchasing, receiving, selling, transmitting or using any news so obtained.

(b) From inducing or procuring, directly or indirectly, any of complainant's members or any of the newspapers represented by them, to violate any of the agreements fixed by the Charter and By-Laws of the complainant.

(c) From copying, obtaining, taking, selling, transmitting or otherwise gainfully using, or from causing

to be copied, obtained, taken, sold, transmitted or otherwise gainfully used the complainant's news, either bodily or in substance, from bulletins issued by the complainant or any of its members, or from editions of newspapers published by any of complainant's members, until its commercial value as news to the complainant and all of its members has passed away.

And the complainant having offered to submit to a like injunction to that contained in subdivision (c) *supra*, it is

Ordered that the complainant be and hereby is permanently enjoined from copying, obtaining, taking, selling, transmitting or otherwise gainfully using, or from causing to be copied, obtained, taken, sold, transmitted or otherwise gainfully used the defendant's news, either bodily or in substance, from bulletins issued by the defendant, or any of its customers, or from editions of newspapers published by any of defendant's customers until its commercial value as news to the defendant and all of its customers has passed away.

[fol. 1197] Further Ordered, Adjudged and Decreed that the plaintiff recover from the defendant its costs herein to be taxed by the Clerk.

Dated New York City, New York, May 19, 1919.

Manton, C. J.

We hereby consent to the granting and entry of the foregoing decree.

New York, May 19, 1919.

—— —— Solicitor for Defendant.

EXHIBIT C

November 15, 1941.

Mr. J. D. Gortatowsky, Hearst Newspapers, 959 Eighth Avenue, New York, N. Y.

DEAR MR. GORTATOWSKY:

Mr. Evans has advised me that you have been authorized by Mr. Hearst to negotiate the sale of the Hearst morning membership in The Associated Press of Chicago.

I am familiar with your and Mr. Evans' conversations

on this subject, and I assume you are, in a general way, familiar with subsequent conversations we have had with certain officials of The Associated Press.

[fol. 1198] I am anxious to purchase this membership at the earliest possible moment, provided the situation within your organization makes it practical for you to consider a price that I believe to be on the top side of a generous offer.

In an attempt to determine the amount of my offer, I have carefully considered all the factors involved. I am, in a general way, familiar with prices that have been paid in the past for somewhat similar memberships. Without going into all the details, I believe you would be interested in three major factors which have guided my judgment.

1. If I make this purchase I have an asset, which, except for my utility of it, has no probable value, because I believe that if we are unsuccessful in Chicago it will be a long time before new capital is again attracted for this venture.

2. The present attitude of the Courts makes the value of a membership far more hazardous than was the case prior to the last few years, and this hazard, to my mind, depreciates its value. It certainly is not my present desire to attempt to invalidate the Associated Press, but I have no assurance that someone else will not do so. And I am advised by competent legal authorities that any such attempt would almost surely be successful.

3. If I wait until the annual meeting in April I have perhaps better than an even chance of securing a membership through election rather than through purchase.

Based on the above and other considerations, I have decided to offer $250,000. cash for your Chicago membership, subject of course to the transfer of it by the Board of Directors to me. This offer is good for ten days from date, and I trust my attempt at frankness will have convinced you that I am sincere in my belief that this is the [fol. 1199] maximum I should pay and that this offer is therefore subject only to acceptance or declination both as to price and time of the offer.

Due to Mr. McLean's interest on behalf of both of us, I am taking the liberty of sending him a copy of this letter.

Sincerely yours, (Sgd.) Marshall Field.

(Here follows Photolithograph, side folio 1200)

Wanta'



One large State Street merchant—Maurice L. Rothschild—used advertising space in The Chicago Sun on 363 days of The Sun's first year! Another . . . the great State Street department store of Carson Pirie Scott & Company . . . bought advertising space in The Sun day after day . . . week after week . . . for 281 of the 365 days! Goldblatt Brothers were in The Sun 234 days . . . Marshall Field & Company, 231 days . . . Mandel Brothers, 231 days . . . The Hub, Henry C. Lytton & Sons, 153 . . . Chas. A. Stevens & Company, 156 days . . . Hutchins' Boston Store 130 days!—and thereby, the fashionable Michigan Avenue store, led the parade of women's clothing stores to The on the first day of publication . . . and came back again and again and AGAIN for a total of 218 days!

Still more for [illegible] money—advertise in

CHICAGO SUN

bin

E SUN'S ALL-YEAR-'ROUND CLUB?



Such consistency of effort, as a principle of sound business practice, is the stuff of which great shopping centers are formed . . . great businesses built! But it goes deeper than that in its significance to advertisers!

Retail merchants KNOW—within a few hours after their advertising runs—whether or not it is bringing them business.

Consistently, they have put themselves on Sun-time in Chicago because they found out early that THE SUN PRODUCES RESULTS CONSISTENTLY!

And what they have learned, other advertisers, country-wide, have learned, too!

With equal consistency last year, while national advertising volume in most American newspapers was shrinking, due to war's effect on marketing, such famous names as Buick, Ford, General Motors, Oldsmobile, Goodyear, Firestone, Standard Oil, Old Gold, International Harvester, Westinghouse, General Electric, Bethlehem Steel, New York Central, Pennsylvania, Kellogg, Ralston, Procter & Gamble . . . and scores more, equally well known . . . helped give The Sun a growing proportion of the total national lineage placed in Chicago newspapers.

And they're coming back again this year . . . many of them . . . not with the same schedules but with increased schedules. First they tested The Sun, then they checked results . . . now they're sure!

Sun readers-in-action are responsible for The Sun's phenomenal advertising success! They believe in The Sun . . . in the careful effort which this paper makes to present the news objectively and truthfully . . . the unbiased neutrality of Sun reporting . . . The Sun's daily recognition of its function as a NEWSpaper.

Consequently, they believe in Sun advertising, and use it as their daily shopping guide.

Is your advertising talking to this important market of Sun readers? If not, profit by the experience of Chicago's leading merchants' . . . America's most important businesses . . . and shift NOW to Sun-time in Chicago!

EXHIBIT D



One large State Street merchant—Maurice L. Rothschild—used advertising space in The Chicago Sun on 363 days of The Sun's first year! Another . . . the great State Street department store of Carson Pirie Scott & Company . . . bought advertising space in The Sun day after day . . . week after week . . . for 359 of the 365 days! Goldblatt Brothers were in The Sun 334 days . . . Marshall Field & Company, 328 days . . . Mandel Brothers, 309 days . . . The Fair, Henry C. Lytton & Sons, 153 days . . . Chas. A. Stevens & Company, 156 days . . . Butler's Boston Store, 120 days! — and Rosenblum, the fashionable Michigan Avenue store, had the parade of women's clothing stores to The Sun on the first day of publication . . . and came back again and again and AGAIN for a total of 213 days!

Such consistency of effort, as a principle of sound business practice, is the stuff of which great shopping centers are formed . . . great businesses built! But it goes deeper than that in its significance to advertisers!

Retail merchants KNOW—within a few hours after their advertising runs—whether or not it is bringing them business.

Consistently, they both put themselves on Sun-time in Chicago because they found out early that THE SUN PRODUCES RESULTS CONSISTENTLY!

And what they have learned, other advertisers, country-wide, have learned, too!

With equal consistency last year, while national advertising volume in most American newspapers was shrinking, due to war's effect on marketing, such famous names as Dutch, Ford, General Motors, Oldsmobile, Goodyear, Firestone, Standard Oil, Old Gold, International Harvester, Westinghouse, General Electric, Bethlehem Steel, New York Central, Pennsylvania, Kellogg, Holeton, Procter & Gamble . . . and scores more, equally well known . . . helped give The Sun a growing proportion of the total national lineage placed in Chicago newspapers.

And they're coming back again this year . . . many of them . . . not with the same schedules but with increased schedules. First they tested The Sun, then they checked results . . . now they're sure!

Sun readers-in-action are responsible for The Sun's phenomenal advertising success! They believe in The Sun . . . in the careful effort which this paper makes to present the news objectively and truthfully . . . the unbiased neutrality of Sun reporting . . . The Sun's daily recognition of its function as a NEWSpaper.

Consequently, they believe in Sun advertising, and use it as their daily shopping guide.

Is your advertising talking to this important market of Sun readers? If not, profit by the experience of Chicago's leading merchants . . . America's most important businesses . . . and shift NOW to Sun-time in Chicago!

Sell more for [illegible] more—advertise in

THE CHICAGO SUN

ADVERTISING LINAGE OF 12 LEADING RETAIL STORES IN THE CHICAGO SUN DURING ITS FIRST FULL YEAR

DECEMBER 4, 1941 THROUGH DECEMBER 3, 1942

Carson Pirie Scott & Company	[illegible]	The Fair, Henry C. Lytton & Sons	[illegible]	Maurice L. Rothschild	[illegible]
Marshall Field & Company	[illegible]	Butler's Boston Store	[illegible]	Sears, Roebuck & Company	[illegible]
Mandel Brothers	[illegible]	Rosenblum	[illegible]	Chas. A. Stevens & Company	[illegible]
Goldblatt Brothers	[illegible]	The Fair	[illegible]	Saks Fifth Avenue	[illegible]

NOTE: In the first three weeks of January, 1943, Chicago Department Stores increased their lineage in The Sun 47 per cent over the same period last year . . . and reduced their lineage in every one of the other Chicago papers

1200

EXHIBIT D

9064

[fol. 1201] EXHIBIT E

LET'S LOOK AT THE RECORD

As we sit back and take stock of what the Sun has done to date, we can say without fear of contradiction—for you cannot contradict the truth—

1. Chicago *needed* a new morning newspaper.

   New York City has four morning newspapers, and Boston has four. Philadelphia and Washington, Los Angeles and San Francisco have two apiece. Yet Chicago, the second largest city in the country, had only one.

2. Chicago *wanted* a new morning newspaper.

   More than 100,000 subscriptions were sent in before publication by people who wanted to let us know where they stood.

   Over 220,000 people helped us name their new morning newspaper—The Chicago Sun.

3. Chicago has received the Sun with open arms.

   Only ten months old in September, the daily Sun has a total net paid circulation of 281,631. Yet, the New York Daily News—the "2,000,000 net paid" giant of the newspaper business—showed a circulation of only 185,828 on its first twelve months Audit Report.

   The New York Sunday News, with nearly 3,850,000 total net paid today, showed only 308,318 on its first Audit Report. The Sunday Sun already has 386,467. In seven *months*, the daily Sun reached a circulation secured by the Chicago Daily Times only after several *years* of publication*—and this despite the [fol. 1202] handicap the Sun was up against in changing over from its original distributing organization to distribution through the official carrier, in February of this year.

* Publisher's Statements.

In September the Sun showed a bigger gain over both July and August than any other Chicago paper that publishes its monthly average net paid circulation.

The Sun was the only Chicago paper to show a gain over the first quarter of this year.

While all Chicago daily newspapers (that publish their monthly circulations) showed a smaller Figure in July and August than for the first three months of the year—the usual summer slump—*the* Sun *showed a smaller decrease than any other paper* (4.1% in July and only 2.1% in August).

A growing business is one which not only gains more on the up trends but loses less on the down trends. The A. B. C. Audit Reports show the combined circulations of Chicago's other four daily newspapers for the first quarter of this year were 1.4% less than they were for the period 10/1/41 to 12/3/41 (excluding the abnormal 12/4/41 to 12/31/41 Pearl Harbor period). It was the Sun that was primary responsible for turning this loss into a 10.1% gain for all five newspapers combined.

4. Sun readers get more for their money.

According to Media Records, the Sun has consistently given its readers more for their money—more lines of news than any other Chicago paper: in fact, more than any other paper in the country except [fol. 1203] the Times and Herald Tribune in New York and the Inquirer in Philadelphia.

Figures for Chicago newspapers for the first nine months of this year are as follows:

	Daily	*Sunday*	*Total*
Sun	11,163,339 (1)	5,587,625 (1)	16,750,964 (1)
Tribune	9,637,517 (4)	4,823,000 (2)	14,460,517 (2)
Her.-Am.	9,653,676 (3)	4,641,672 (3)	14,295,348 (3)
News	10,128,495 (2)	— —	10,128,495 (4)
Times	5,266,886 (5)	2,671,699 (4)	7,938,585 (5)

5. Sun readers look to the Sun for help in their day-to-day problems.

To date they have bought over 125,000 Sun leaflets for which they paid 3¢ each; nearly 20,000 silver service stars; 10,000 booklets costing 10¢ or more. They asked for 130,000 copies of Vice President Wallace's "A Century of the Common Man"; 84,000 dress and needlework patterns—all these and more swell the total to well over half a million requests for service.

6. Advertisers have been quicker to place their stamp of approval on the Sun than on any other new newspaper in the history of publishing.

Highly competitive, quick and accurate in checking results, insistent that these results be profitable, department stores are today more than ever the bellwether of newspaper advertising—in Chicago as in other metropolitan cities.

Chicago's Loop department stores have shown enough confidence in the Sun to give it more advertising linage than any other paper in Chicago except the *95-year old Tribune* *. And department stores *know* what they're buying.

[fol. 1204] Chicago Women's Clothing Stores, among the world's smartest and most fashionable, have given the Sun more advertising linage than any other paper in Chicago, except the Tribune*—further proof of the high regard in which advertising-wise merchants hold the Sun.

Turn around at the end of any month of this year and look back at the record to date, and you will find the Sun has *never* dropped below second place in Classified Advertising *.

As of October 21st, 513 local advertisers, 904 national advertisers, 268 advertising agencies and thousands of classified advertisers have already shown their confidence in the Sun by placing in it

* Media Records.

a total of 6,702,617 lines of advertising in less than eleven months.

Total advertising linage in Media Records' "52 Cities" showed a loss of 6.2% for the first nine months of this year compared with the first nine months of last. The loss in the four other Chicago papers combined was 14.9%; but when the Sun is included in the picture, the loss is only 1.1%.

Four months ago the Sun passed the Times in national advertising linage; and is now running the Herald-American close * * * if you forget about the 35% to 40% of their national linage that is carried automatically because it is running in the American Weekly and Puck.*

During the first six months of 1942 the Sun carried a larger percentage of Chicago's total daily retail linage than the Herald and Examiner carried in the first six months of any of the last four years of its existence, except the freak year, 1938, when they were selling evening American advertisers space for as little as 8¢ a line.*

We repeat * * *

[Vol. 1205] Chicago *needed* a new morning newspaper.
Chicago *wanted* a new morning newspaper.
Chicago has received the Sun with open arms.
Sun readers get more for their money.
Sun readers look to the Sun for help in their day-to-day problems.
Advertisers have been quicker to place their stamp of approval on the Sun than on any other new newspaper in the history of publishing.

The Sun is Chicago's
G-R-O-W-I-N-G
Advertising Medium

From The Chicago Sun
Promotion & Research Dept. 139
October 25, 1942.

---

* Media Records.

What a record for



a 9-month-old!

HONEST, WE HATE TO BRAG . . .

But we wouldn't be fair to the people of Chicago if we didn't tell you about the tremendous progress we have made (thanks to you) in the nine short months we've been in existence!

LISTEN TO THE EVIDENCE . . .

★ Even before we started publication you took us to your bosom 100,000 strong—with 100,000 advance subscriptions.

★ Today one out of every three morning newspaper readers in Chicago and immediate suburbs reads The Sun. Seven out of ten of our daily readers read no other daily morning newspaper!

★ The Sun prints more lines of news matter every day than any other Chicago newspaper—as a matter of fact more than any other paper in the country except three.

★ To date we've received from readers over half a million requests for booklets, reprints, etc. (Keep 'em coming, folks.)

★ Advertisers have given us their approval—but quick!

LOOK AT THIS . . .

★ Loop department stores (canny buyers) give The Sun more advertising lineage than any other paper in town with one exception. This is also true of Chicago's leading women's wearing apparel shops!

★ No matter when you stop and look back at the record to date you will find that The Sun has never dropped below second place in classified advertising—an unheard of record for a new paper!

★ Approximately 500 local and 850 national advertisers have shown their confidence in The Sun to the tune of six and one-quarter million lines of advertising placed in less than ten months!

WE COULD GO ON AND ON with evidence like this.

But you get the idea. Chicago *needed* a new morning newspaper. Chicago *wanted* it.

And Chicago *GOT* it.

Chicago people like The Sun. They *trust* it.

They think it's a darn good paper to read.

As a result, The Sun today has more circulation

EXHIBIT F



a 9-month-old!

100,000 strong—with 100,000 advance subscriptions.

★ Today one out of every three morning newspaper readers in Chicago and immediate suburbs reads The Sun. Seven out of ten of our daily readers read no other daily morning newspaper!

★ The Sun prints more lines of news matter every day than any other Chicago newspaper—as a matter of fact more than any other paper in the country except three.

★ To date we've received from readers over half a million requests for booklets, reprints, etc. (Keep 'em coming, folks.)

★ Advertisers have given us their approval—but quick!

LOOK AT THIS . . .

★ Loop department stores (canny buyers) give The Sun more advertising lineage than any other paper in town with one exception. This is also true of Chicago's leading women's wearing apparel shops!

★ No matter when you stop and look back at the record to date you will find that The Sun has never dropped below second place in classified advertising—an unheard of record for a new paper!

★ Approximately 500 local and 250 national advertisers have shown their confidence in The Sun to the tune of six and one-quarter million lines of advertising placed in less than ten months!

WE COULD GO ON AND ON with evidence like this. But you get the idea. Chicago needed a new morning newspaper. Chicago wanted it.

And Chicago GOT it.

Chicago people like The Sun. They trust it.

They think it's a darn good paper to read.

As a result, The Sun today has more circulation than any new newspaper ever had; has carried more advertising than many an old newspaper will ever run!

Better get The Sun habit—NOW!

THE CHICAGO SUN

EXHIBIT E

1206

911



Again

Proof of the Superiority of The Chicago Sun's Wire Services!

The 11-month-old Chicago Sun Syndicate announces the addition of Great Britain's largest publishing chain, Allied Newspapers Limited, to its fast growing list of clients.

Included in this group of newspapers, which have a circulation of nearly 7,000,000 are:

England

LONDON
The Daily Sketch
The Sunday Graphic
The Sunday Chronicle
The Sunday Times

MANCHESTER
The Daily Dispatch
The Evening Chronicle
The Sunday Chronicle
The Empire News

MIDDLESBROUGH
The Evening Gazette

NEWCASTLE
The Newcastle Journal and North Mail

NEWCASTLE (Continued)
The Evening Chronicle
The Sunday Sun

SHEFFIELD
The Telegraph & Independent
The Star

Scotland

ABERDEEN
The Evening Express
The Press & Journal

GLASGOW
The Daily Record
The Evening News
The Sunday Mail

Allied augmented their already thorough and reliable news coverage, not for the sake of quantity (they now have A.P., U.P. and Reuters), but because their editors are keenly alert to the fact that, at a time when English newspapers are restricted to 4 and 6 pages, they need added QUALITY.

The Chicago Sun Wire Services, Washington and Foreign, give them just that! An exclusive "extra" in The Chicago Sun's Washington Bureau, largest in America, staffed by 18 experts . . . and added "plus" in the star-studded roster of foreign correspondents composed of famous writers like Knickerbocker, Kuh, Morrison, Bowling and Angly . . . men who come through with consistent news beats from the thick of battle on war fronts the world over.

Take a tip from Allied Limited . . . "hire" these men for your newspaper. We will be glad to send further information immediately.

THE CHICAGO SUN SYNDICATE

400 West Madison • Chicago, Illinois

EXHIBIT H.

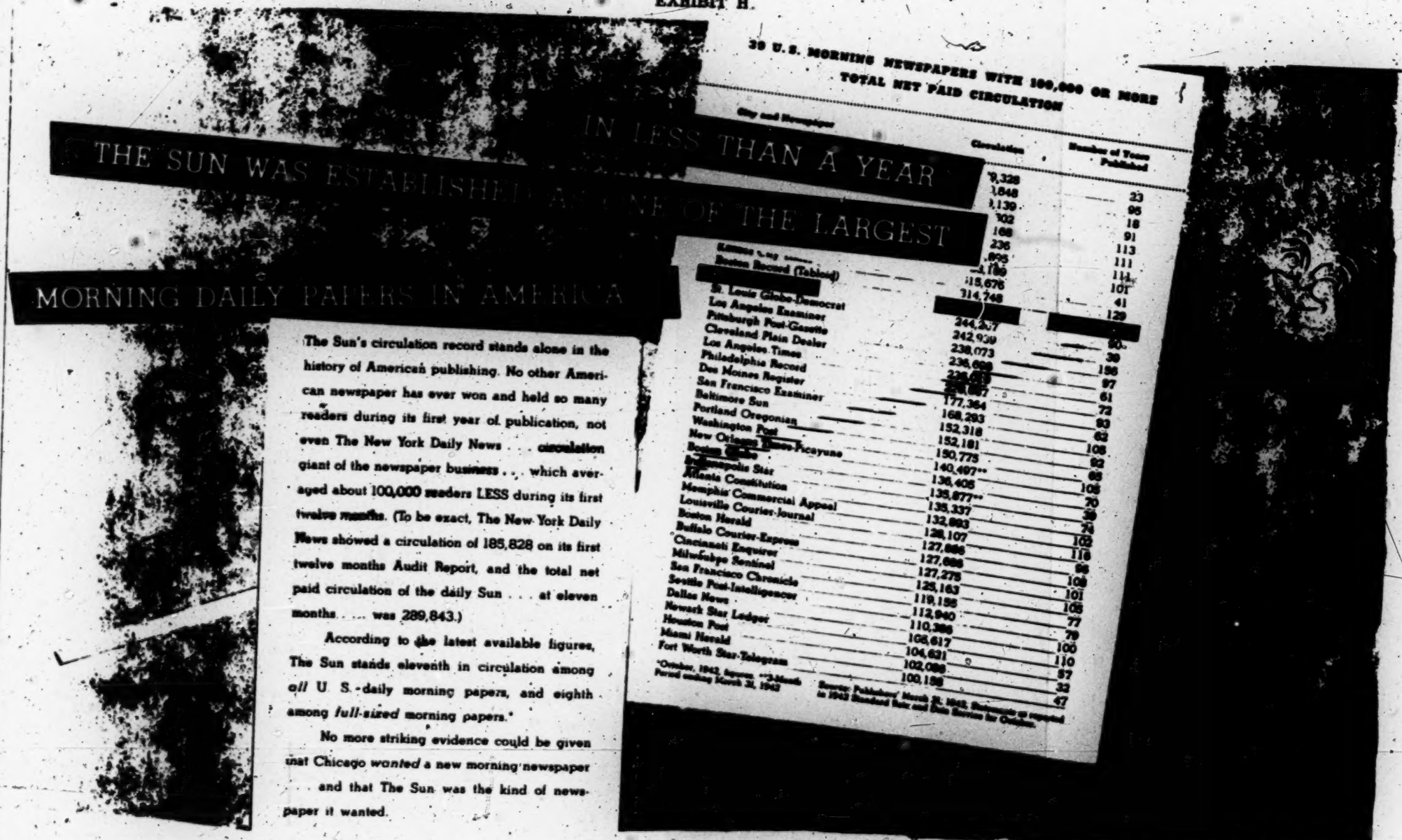

THE SUN WAS ESTABLISHED
IN LESS THAN A YEAR
MORNING DAILY PAPERS IN AMERICA
OF THE LARGEST
The Sun's circulation record stands alone in the history of American publishing. No other American newspaper has ever won and held so many readers during its first year of publication, not even The New York Daily News . . . circulation giant of the newspaper business . . . which averaged about 100,000 readers LESS during its first twelve months. (To be exact, The New York Daily News showed a circulation of 185,828 on its first twelve months Audit Report, and the total net paid circulation of the daily Sun . . . at eleven months . . . was 289,843.)
According to the latest available figures, The Sun stands eleventh in circulation among all U. S.-daily morning papers, and eighth among full-sized morning papers.*
No more striking evidence could be given that Chicago wanted a new morning newspaper . . . and that The Sun was the kind of newspaper it wanted.
39 U. S. MORNING NEWSPAPERS WITH 100,000 OR MORE
TOTAL NET PAID CIRCULATION
City and Newspaper
Circulation
Number of Years Published
Boston Record (Tabloid)
St. Louis Globe-Democrat
Los Angeles Examiner
Pittsburgh Post-Gazette
Cleveland Plain Dealer
Los Angeles Times
Philadelphia Record
Des Moines Register
San Francisco Examiner
Baltimore Sun
Portland Oregonian
Washington Post
New Orleans Times-Picayune
Boston Globe
Minneapolis Star
Atlanta Constitution
Memphis Commercial Appeal
Louisville Courier-Journal
Boston Herald
Buffalo Courier-Express
Cincinnati Enquirer
Milwaukee Sentinel
San Francisco Chronicle
Seattle Post-Intelligencer
Dallas News
Newark Star Ledger
Houston Post
Miami Herald
Fort Worth Star-Telegram
115,676
314,748
177,364
168,293
152,318
152,181
150,779
140,497**
136,405
135,877**
135,337
132,893
128,107
127,686
127,686
127,278
125,163
119,158
112,940
110,386
105,617
104,631
102,088
100,188
101
41
129
80
39
186
97
61
72
93
62
108
92
68
108
70
39
74
102
118
98
108
101
108
77
79
100
110
87
32
47
*October, 1942, figures. **3-Month Period ending March 31, 1942
Source: Published March 29, 1942, Statements of record in 1942 Standard Rate and Data Service for October.

Exhibit I

Chicago Morning N

UNBIASED NEW ASHING

. . . Factual

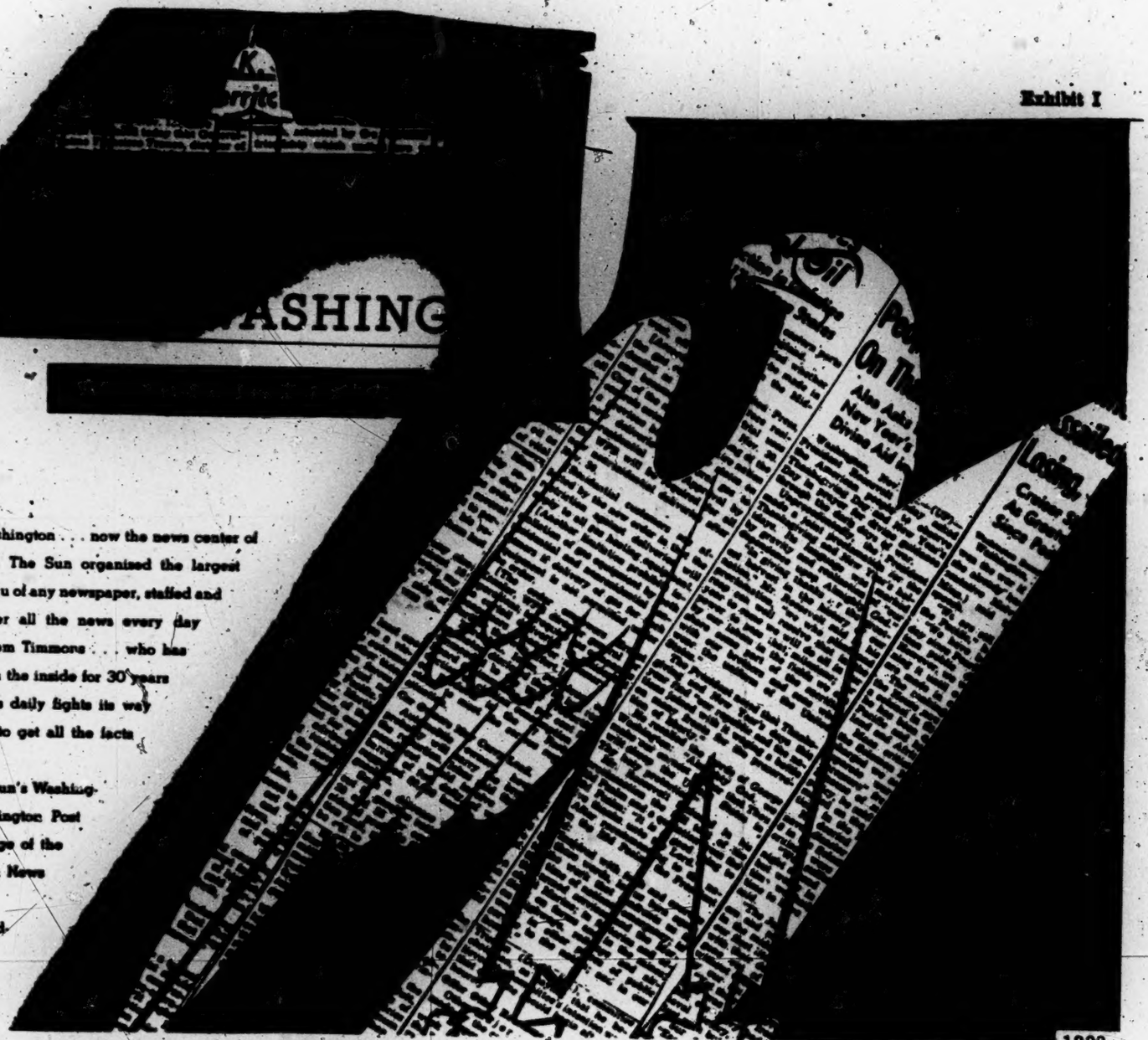
Reports on National Events and Issues

To cover Washington . . . now the news center of the world . . . The Sun organized the largest Washington Bureau of any newspaper, staffed and equipped it to cover all the news every day. Headed by Bascom Timmons . . . who has covered Washington from the inside for 30 years . . . a staff of 18 specialists daily fights its way through rumor and red tape to get all the facts that can be told.

A remarkable tribute to The Sun's Washington Bureau was paid by The Washington Post when . . . acting on its direct knowledge of the field . . . it bought The Sun's Washington News Service for its readers.

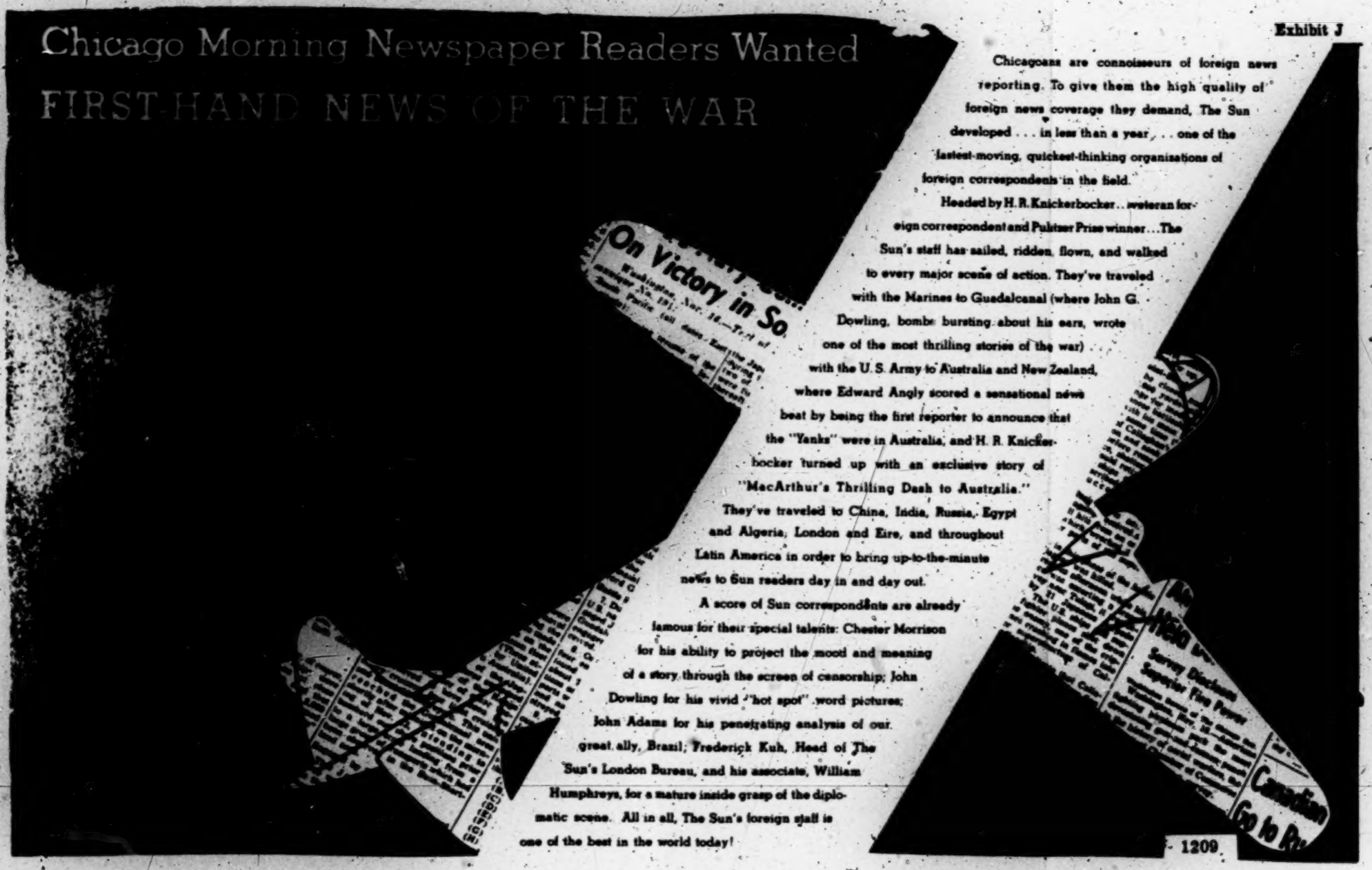
One reason why more Chicagoans are reading The Sun every month is because it tells them facts from Washington without editorial flavoring.

12



1208

Exhibit J



Chicagoans are connoisseurs of foreign news reporting. To give them the high quality of foreign news coverage they demand, The Sun developed . . . in less than a year . . . one of the fastest-moving, quickest-thinking organizations of foreign correspondents in the field.

Headed by H. R. Knickerbocker . . veteran foreign correspondent and Pulitzer Prize winner . . . The Sun's staff has sailed, ridden, flown, and walked to every major scene of action. They've traveled with the Marines to Guadalcanal (where John G. Dowling, bombs bursting about his ears, wrote one of the most thrilling stories of the war) with the U. S. Army to Australia and New Zealand, where Edward Angly scored a sensational news beat by being the first reporter to announce that the "Yanks" were in Australia, and H. R. Knickerbocker turned up with an exclusive story of "MacArthur's Thrilling Dash to Australia." They've traveled to China, India, Russia, Egypt and Algeria, London and Eire, and throughout Latin America in order to bring up-to-the-minute news to Sun readers day in and day out.

A score of Sun correspondents are already famous for their special talents: Chester Morrison for his ability to project the mood and meaning of a story through the screen of censorship; John Dowling for his vivid "hot spot" word pictures; John Adams for his penetrating analysis of our great ally, Brazil; Frederick Kuh, Head of The Sun's London Bureau, and his associate, William Humphreys, for a mature inside grasp of the diplomatic scene. All in all, The Sun's foreign staff is one of the best in the world today!

1209

BECAUSE

IT GAVE CHICAGO MORNING NEWSPAPER READERS WHAT THEY WANTED...Day by Day...Weekdays and Sundays ...THE SUN ACCOMPLISHED MORE IN ITS FIRST YEAR...in building circulation, influence, and advertising linage...THAN ANY NEWSPAPER EVER DID SINCE THE BILL OF RIGHTS ESTABLISHED FREE AMERICAN JOURNALISM IN 1789!

The facts...in figures...
of The Sun's accomplishments are
shown on the following pages

Exhibit K

1210

916



NOW...IN 1942...ONE OUT OF EVERY THREE NEWSPAPER READERS READS THE CHICAGO SUN

THE SUN IS RISING FAST in the Chicago Morning Newspaper Field

Before December 6, 1941, New York and Boston each had four morning newspapers; Philadelphia, Washington, Los Angeles and San Francisco had two morning newspapers apiece; but Chicago . . . second city of the nation . . . had only one. The Tribune stood alone in the morning field with 100% of the circulation and advertising.

The field was open to establish a second successful morning newspaper in Chicago . . . to meet the expressed demand of Chicagoans of every income group for a new type of morning newspaper . . . and to give national and local advertisers a new front door to Chicago's huge market.

It was because The Sun satisfied an existing need that 100,000 Chicagoans subscribed to it before publication . . . and hundreds of advertisers gave it early recognition and acceptance. Today, the circulation trend and the advertising lineage record show that there is a definite shift towards The Sun.

The SUN'S daily circulation shows A STEADILY RISING TREND

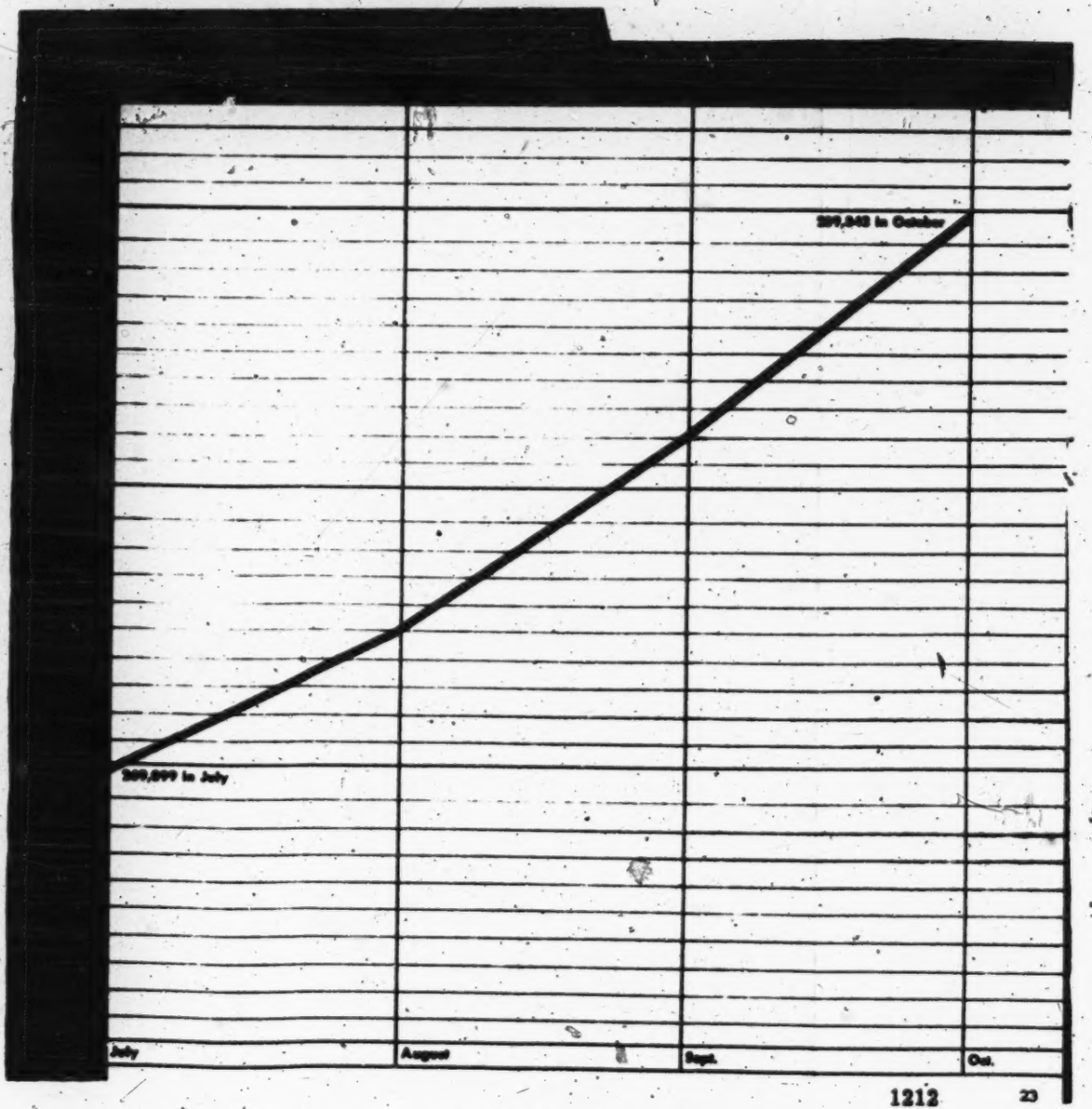
When The Sun broke into the Chicago morning field, some pessimists said, "They'll never lick the circulation problem." It WAS a tough one . . . perhaps the toughest ever faced by a new newspaper.

The Sun was determined to secure efficient carrier distribution . . . and a full and equal share of newsstand display space . . . on a basis of fair competition.

The problem of carrier distribution was solved two months after publication . . . as announced February 4th, 1943 . . . when The Sun obtained the services of the "Official Carriers" . . . long-established Newspaper Distributors' Association of Chicago.

Full newsstand display space was secured and announced less than five months later . . . on June 30th.

As a result of overcoming these obstacles, and constantly improving the paper itself, The Sun's circulation has shown consistent increases, until today it ranks as the 12th largest daily morning newspaper in the United States.



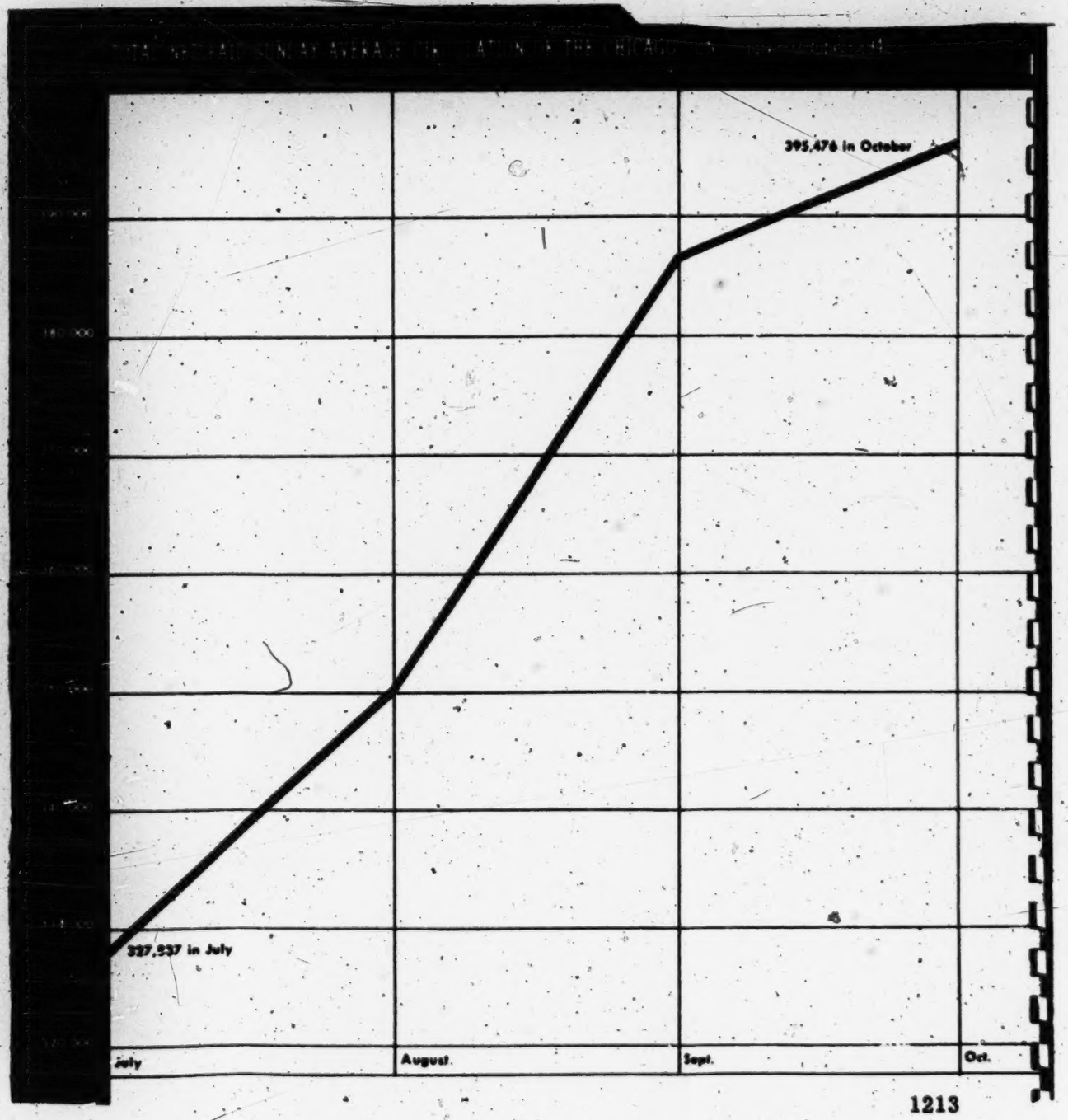
1212 23

Sundays too, The SUN'S Circulation Follows a RISING CURVE!

The Sun gives Sunday readers in Chicago and suburbs more for their money . . . Parade, Book Week, a complete novel, two sections of standard-sized color comics as well as a comic book for the children, an abundance of news, special stories, and a large quantity of well-diversified advertising.

A feature by feature comparison between The Sunday Sun and other Chicago Sunday newspapers supports the idea that The Sun makes the broadest editorial appeal to all classes of Chicago Sunday readers.

As a result, The Sun's Sunday circulation keeps on climbing.



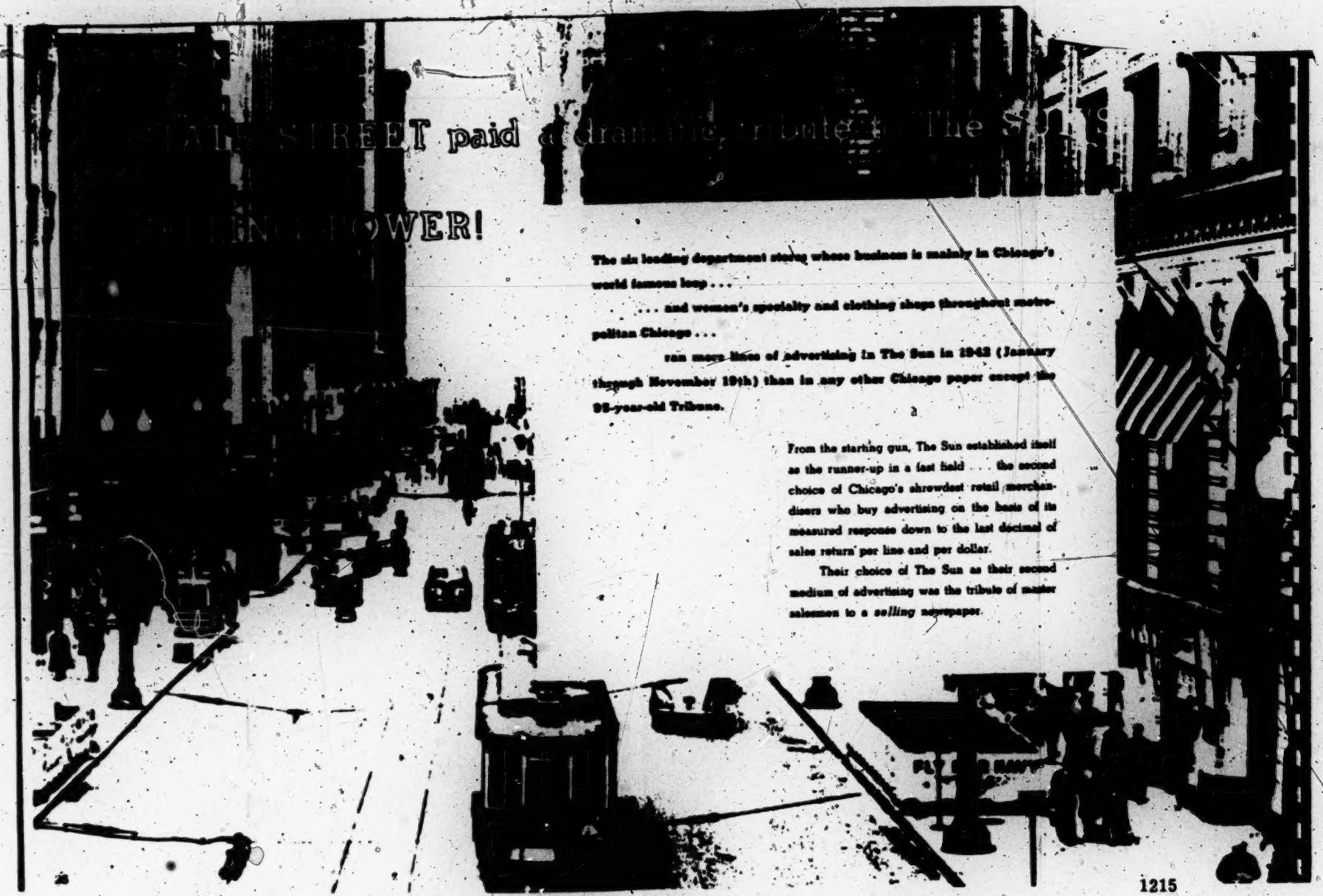
THE AMAZING FIRST YEAR ADVERTISING RECORD OF THE SUN

stands as a striking proof of the strategically concentrated responsiveness of The SUN'S circulation

7,439,706 lines

from { 541 LOCAL ADVERTISERS including Chicago's leading Loop department stores and women's specialty stores . . .
949 NATIONAL ADVERTISERS and their 276 Advertising Agencies . . . and more than 600 amusement advertisers and thousands of classified advertisers

1214


ALE STREET paid a dramatic tribute to The
ING POWER!
The six leading department stores whose business is mainly in Chicago's world famous loop . . .
. . . and women's specialty and clothing shops throughout metropolitan Chicago . . .
ran more lines of advertising in The Sun in 1942 (January through November 19th) than in any other Chicago paper except the 92-year-old Tribune.
From the starting gun, The Sun established itself as the runner-up in a fast field . . . the second choice of Chicago's shrewdest retail merchandisers who buy advertising on the basis of its measured response down to the last decimal of sales return per line and per dollar.
Their choice of The Sun as their second medium of advertising was the tribute of master salesmen to a *selling* newspaper.

Any way you figure it...

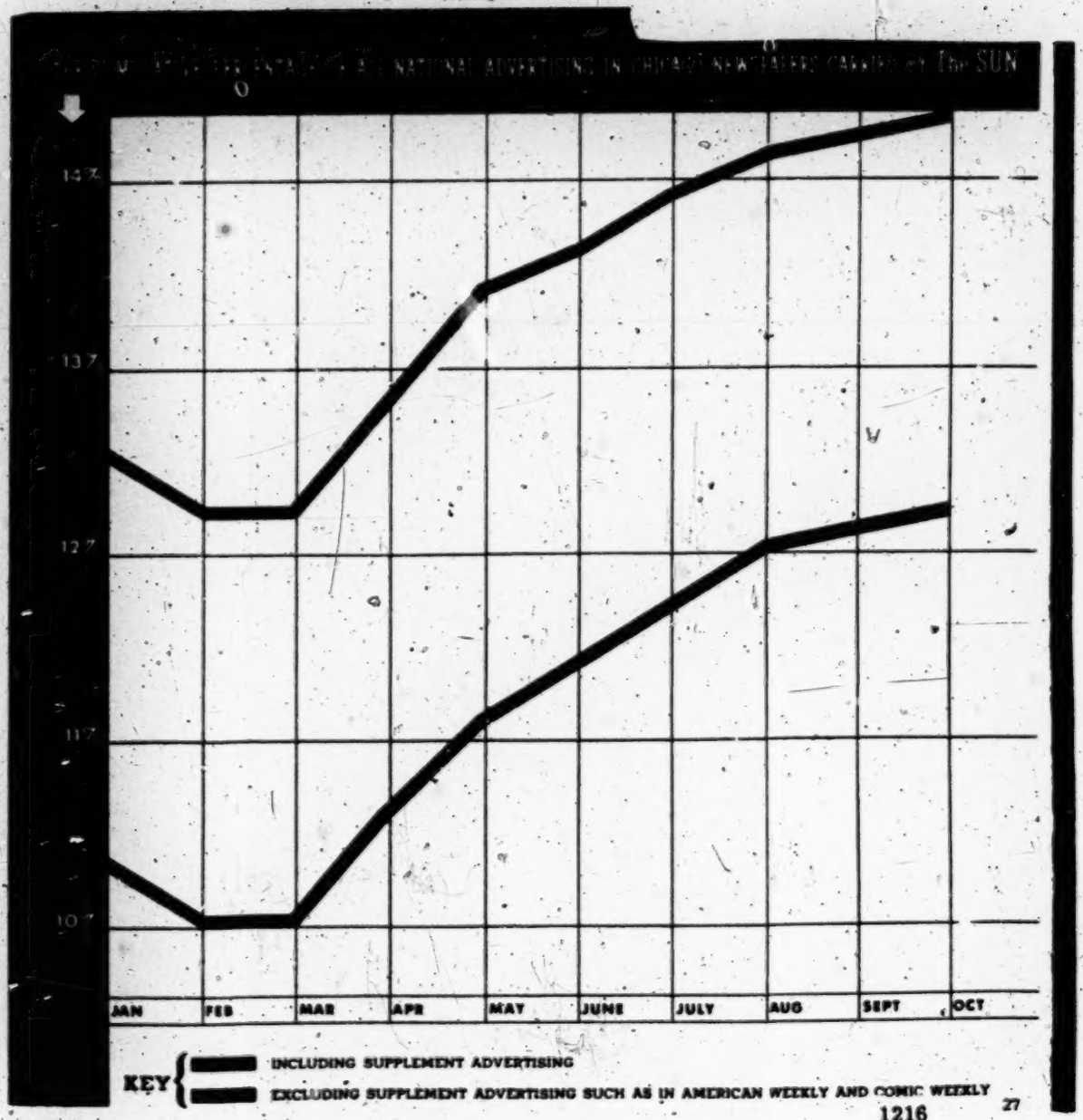
The SUN Strengthened its National Advertising Position...month after month... in 1942!

In the face of a shrinking total volume of national advertising in American newspapers, The Sun has consistently acquired a growing proportion of the national advertising linage placed in Chicago newspapers.

This is true whether or not the national advertising linage that is carried automatically in weekly "supplements" is included.

There is one basic reason for the growing preference among national advertisers for The Sun. The Sun readership supports Sun advertisers . . . and many of the 949 national advertisers who used The Sun in 1942 have learned this fact by experience.

The confidence that The Sun has earned from all classes of Chicago newspaper readers by fairness, accuracy, and public-spirited service . . . assures Sun advertisers of the highest degree of responsiveness.



1216

THE SUN held SECOND PLACE in

Total Classified

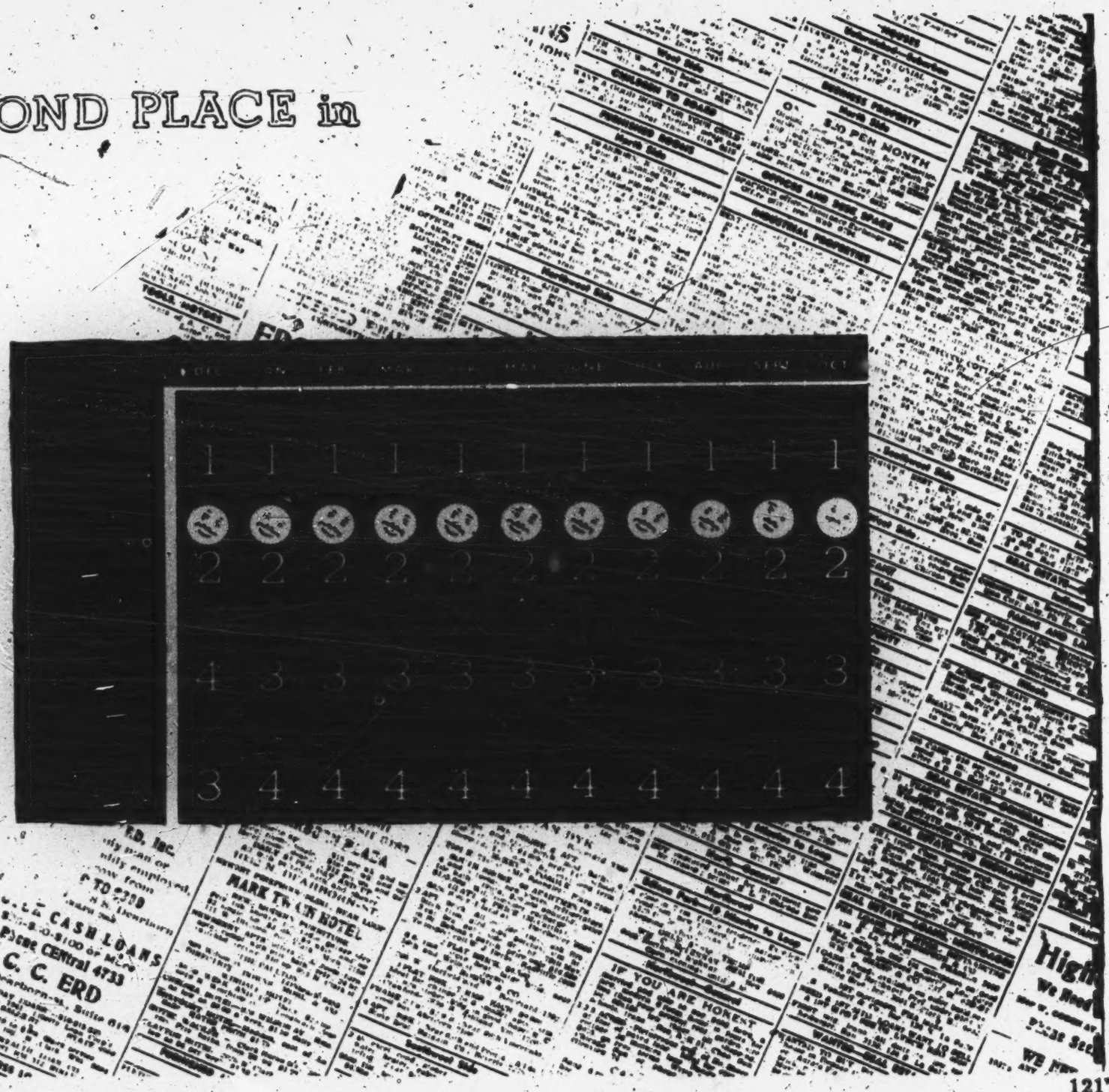
Advertising Linage

From its first month . . .

. . . an incredible accomplishment for a new newspaper in a highly competitive metropolitan field . . . and striking evidence of the buying vitality of The Sun's circulation

Every classified advertisement is, in effect, a KEYED advertisement . . . a direct test of reader responsiveness. Classified advertisers buy sales results.

The Sun started with more classified advertising linage than any Chicago paper except The Tribune . . . and The Sun has *held* its position as Chicago's second classified medium by delivering results.







Painful or Pleasant

The TRUTH

the truth—whether it hurts or soothes. The Truth—whether it alarms or allays. The Truth . . . the whole Truth . . . nothing but the Truth. This is the platform and policy of The Sun.

Telling the truth is <u>Selling The Sun</u> to nearly 300,000 readers a day. This is a terrific record for a lusty young paper not yet a year and a half old—and this policy of telling the Truth has already resulted in making The Sun America's eleventh largest morning newspaper.

THE CHICAGO SUN

CHICAGO'S MORNING TRUTHpaper

THE BRANHAM COMPANY, *National Representatives*
Atlanta, Charlotte, Chicago, Dallas, Detroit, Kansas City, Los Angeles, Memphis, New York, St. Louis, San Francisco, Seattle.

[fol. 1219] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

RESPONSES OF PLAINTIFF TO REQUEST FOR ADMISSIONS OF DEFENDANTS (EXCEPT TRIBUNE COMPANY AND ROBERT RUTHERFORD MCCORMICK)

The plaintiff, for the purposes of this action only and subject to all pertinent objections to admissibility which may be interposed at the hearing, makes the following Responses to the Request for Admissions served upon counsel for the plaintiff on May 18, 1943.

Request No. 1. Attached hereto and marked Exhibit A is a true and correct copy of a letter dated March 12, 1915, signed by T. W. Gregory, Attorney General of the United States, and sent to James M. Beck, Esq., counsel for The Sun Printing and Publishing Association, following the filing with the Department of Justice of a complaint by The Sun Printing and Publishing Association against The Associated Press for alleged violations of the Federal Anti-Trust Act.

Response. Admits.

[fol. 1220] *Request No. 2.* For forty-two years last past, the United States of America has not brought to any court or governmental body any complaint that the provisions of the by-laws of The Associated Press constituted an undue or unreasonable restraint of trade, or that The Associated Press had monopolized or attempted to monopolize the collection of news.

Response. Admits.

Request No. 3. The Associated Press is a mutual, cooperative association of over 1,200 members who are the owners of newspapers publishing in the United States, territorial possessions thereof and in certain other parts of the western hemisphere.

Response. Admits that The Associated Press is a membership corporation with over 1,200 members which are owners of newspapers published in the United States, in territorial possessions thereof and certain other parts of

the Western Hemisphere, and for the character of The Associated Press refers to its charter and by-laws, true copies of which are of record in this case.

Request No. 4. The comprehensiveness of the news coverage by The Associated Press is dependent in large part upon the willingness of its members to expend time, effort and money in gathering the news of their respective vicinages and in furnishing it to The Associated Press.

Response. Admits that the comprehensiveness of the news coverage, particularly of domestic news, by The Associated Press, is dependent in large part upon the gathering by its members, and in their furnishing to The Associated Press, the news of their respective vicinages, but has no knowledge of the extent to which the members' willingness to do so accounts for such comprehensiveness of news cov- [fol. 1221] erage and asserts that it is a minor factor because of the members' contractual obligation to do so, their economic self-interest in doing so, and the methods which The Associated Press has adopted to insure that they do so.

Request No. 5. The comprehensiveness of the news coverage by The Associated Press is dependent in large part upon the loyalty and cooperation of its members in furnishing all the news of interest of their respective vicinages to The Associated Press.

Response. Admits that the comprehensiveness of the news coverage, particularly of domestic news, by The Associated Press is dependent in large part upon the furnishing by the members to The Associated Press of all the news of interest in their respective vicinages, but has no knowledge of the extent to which the members' loyalty and cooperation account for such comprehensiveness of news coverage and asserts that they are minor factors because of the members' contractual obligation to furnish news to The Associated Press, their economic self-interest in doing so, and the methods which The Associated Press has adopted to insure that they do so.

Request No. 6. The comprehensiveness of the news coverage of The Associated Press would not be materially enhanced by the election into membership of a newspaper in

a locality adequately covered from a local news standpoint by an existing member or members.

Response. Cannot admit, because plaintiff believes that it is important to news agencies (including The Associated Press) to have as many sources of news as possible, so that, in addition to mere adequacy of coverage in any particular locality, the news agency will have the assurance, which more than one competing source provides, that news events will be fully reported with utmost speed, and that [fol. 1222] the greater the number of such sources the greater the likelihood the local news reports will be accurate and free from bias.

Request No. 7. No by-law, rule or resolution of The Associated Press prescribes that The Associated Press members may not purchase or otherwise obtain the services of rival or competing news agencies, such as the United Press Associations or International News Service.

Response. Admits, but states that under the present by-laws of The Associated Press, while a newly elected member may be required to relinquish to the existing members competing with him any exclusive rights he may have to news or news picture services, the by-laws do not impose any reciprocal obligation upon such existing members to relinquish to the new member any similar exclusive rights they may have.

Request No. 8. Over four hundred members of The Associated Press subscribed to the services of United Press Associations or International News Service, or both, in September, 1941.

Response. Admits.

Request No. 9. The value of news lies in its exclusiveness, reliability and newness.

Response. Admits that a large part of the value of news to newspapers or news agencies lies in its exclusiveness, reliability and newness.

Request No. 10. News is a report of the happenings of an event.

Response. Admits.

[fol. 1223] *Request No. 11.* The original source of news lies in the event itself.

Response. Admits that the original source of news is the event itself, in the sense that, without the happening of the event, there could be no report thereof (*i. e.*, news), but states that it is not the original source of news in the sense that original source of news is the person or agency who first makes the report (*i. e.*, news) of the event.

Request No. 12. The Associated Press does not, nor does it attempt to, prevent non-member newspapers or rival or competing news agencies from obtaining access to the original sources of news.

Response. Admits that The Associated Press does not prevent, or attempt to prevent, non-member newspapers or competing or rival news agencies from obtaining access to events, except by making exclusive contracts with the news reporting instrumentalities which as a practical matter have the only access to many events, but states that The Associated Press attempts to, and does, prevent such newspapers and news agencies from obtaining access to the first or earliest report (*i. e.*, news) of events.

Request No. 13. The growth of competing news agencies has been fostered as a result of the restriction of The Associated Press's service to its own members.

Response. Admits that the growth of competing news agencies has been fostered to some extent as a result of the restrictions of The Associated Press' service to its own members, but states that other restrictions imposed by The Associated Press have hampered and impeded the growth of competing news agencies and of newspapers competitive with members of The Associated Press.

[fol. 1224] *Request No. 14.* The facilities for the transmission of news and pictures, such as telephone, telegraph, radio and cables, are available to all on an equal basis.

Response. Admits that the public utility facilities for the transmission of news and pictures are, subject to the limitations imposed by restricted physical capacity, available to all on an equal basis.

Request No. 15. The United Press Associations, International News Service or any other person or organization interested in transmitting news or pictures can, individually, if they so desired and were willing to assume the cost, utilize transmission facilities similar to those utilized by The Associated Press.

Response. Admits that United Press Associations, International News Service, or any other person or organization interested in transmitting news or pictures can, individually, if they so desire and are willing to assume the cost, utilize transmission facilities provided by public utilities, subject to the limitations imposed by restricted physical capacity, similar to those utilized by The Associated Press.

Request No. 16. The term "leased wire" as commonly used by news agencies means a subscription to a service furnished by telephone, telegraph or cable companies, under which such companies agree for a fee to provide facilities for sending news reports and news pictures to specified points. The arrangement is similar to that of the ordinary telephone subscription.

Response. Admits the statement contained in the first sentence. Denies the statement in the second sentence and states that a subscriber for leased wire service obtains the rights to use the facilities for a specified time and pays the [fol. 1225] public utility on the basis of the time contracted for, whereas a subscriber to ordinary telephone service pays the public utility on the basis of the time actually used on each call.

Request No. 17. The Associated Press does not have the exclusive right to use any particular telephone or telegraph or cable wire. The control of the wires and cables and the particular route over which news and pictures travel at any given time is exclusively in the discretion of the respective utility companies providing the transmission facilities.

Response. Admits.

Request No. 18. The cooperative character of The Associated Press is directly responsible for the excellence, completeness and unbiased nature of its news reports.

Response. Admits that the "cooperative character" of The Associated Press, in the sense that it is owned by, and undertakes to serve, a large number of newspapers of different character widely situated, is conducive to lack of bias in its news reports, but states that it has little or no bearing upon the otherwise excellence or completeness of these reports. If "cooperative character" is used in the sense of loyalty, willingness, or cooperativeness of AP members in furnishing The Associated Press with their local news, plaintiff denies that it has any bearing whatever on AP's reports of foreign news and for its bearing upon AP's reports of domestic news, refers to its answers to Requests Nos. 4 and 5.

Request No. 19. Daily newspapers in the United States have existed for many years and still do exist without membership in The Associated Press.

Response. Admits.

[fol. 1226] *Request No. 20.* Daily newspapers in the United States subscribing to the services of the United Press Associations have existed for many years and still do exist without membership in The Associated Press.

Response. Admits.

Request No. 21. Daily newspapers in the United States subscribing to International News Service have existed for many years and still do exist without membership in The Associated Press.

Response. Admits.

Request No. 22. A number of large metropolitan newspapers and small groups of newspapers gather and distribute a large proportion of the news of outstanding world events printed by them and by others to whom such newspapers in turn sell the news so gathered and transmitted by their individual effort and initiative. Among such newspapers are: The Chicago Sun, The New York Times, The New York Herald Tribune, The Chicago Tribune and The Chicago Daily News.

Response. Admits that a few large metropolitan newspapers and a few small groups of newspapers gather, by their individual effort and initiative, a considerable propor-

tion of the news of outstanding world events printed by them, and admits that such newspapers sell such news to other newspapers, but the plaintiff is without knowledge as to whether the news so purchased by other newspapers constitutes a large proportion of the news of outstanding world events which they print, and further states that regular members of The Associated Press are prohibited by contractual arrangements with The Associated Press from selling to others than The Associated Press and its members local news of spontaneous origin gathered by their individual effort and initiative.

[fol. 1227] *Request No. 23.* The data relating to newspapers and news agencies published by Editor and Publisher in its International Year Books is accepted and relied on by newspapers and news agencies as substantially accurate and reliable.

Response. Admits, subject to correction.

Request No. 24. Circulation data relating to newspapers published by the Audit Bureau of Circulations is accepted and relied on by newspapers and news agencies as substantially accurate and reliable.

Response. Admits, subject to correction.

Request No. 25. The data concerning newspapers, newspaper features, pictures and news syndicates contained in N. W. Ayer & Son's Directory of Newspapers and Periodicals is accepted and relied on by newspapers and news agencies as substantially accurate and reliable.

Response. Admits, subject to correction.

Request No. 26. The list of the members of the press and the newspapers and news agencies represented by them, entitled to admission to the Press Galleries of the House of Representatives and the Senate of the United States on May 26, 1942, contained on pages 709 to 719, inclusive, of the June, 1942 Congressional Directory is true and correct.

Response. Plaintiff has been advised by the secretary of the Standing Committee of Correspondents, Congressional Press Galleries as follows: "So far as I know the answer is 'Yes' but because of the rapid turnover in the lists of

correspondents and the press services and newspapers they represent it is impossible to say that [the] list is actually correct."

[fol. 1228] *Request No. 27.* A true and correct list of the newspapers and news agencies represented in the Press Galleries of the House of Representatives and the Senate of the United States on May 26, 1942 is contained on pages 720 to 729, inclusive, of the June 1942 Congressional Directory.

Response. Plaintiff has been advised by the secretary of the Standing Committee of Correspondents, Congressional Press Galleries as follwos: "So far as I know the answer is 'Yes.' but because of the rapid turnover in the lists of correspondents and the press services and newspapers they represent it is impossible to say that [the] list is actually correct."

Request No. 28. A true and correct list of the members of the White House News Photographers' Association and the organizations represented by them as of May 26, 1942 is contained on pages 731 to 734, inclusive, of the June 1942, Congressional Directory.

Response. Admits.

Request No. 29. The following is a true and correct copy of the rules governing the Press Galleries of the House of Representatives and the Senate of the United States as of May 26, 1942:

"Rules Governing Press Galleries

"1. Persons desiring admission to the Press Galleries of Congress shall make application to the Speaker, as required by rule XXXV of the House of Representatives, and to the Committee on Rules of the Senate, as required by rule IV for the regulation of the Senate wing of the Capitol; and shall state in writing the names of all newspapers or publications or news associations [fol. 1229] by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not engaged in the prosecution of claims pending before Congress or

the departments, and will not become so engaged while allowed admission to the galleries; that they are not employed in any legislative or executive department of the Government, or by any foreign Government or any representative thereof; and that they are not employed, directly or indirectly, by any stock exchange, board of trade, or other organization, or member thereof, or brokerage house, or broker, engaged in the buying and selling of any security or commodity or by any person or corporation having legislation before Congress, and will not become so engaged while retaining membership in the galleries. Holders of visitor's cards who may be allowed temporary admission to the galleries must conform to the restrictions of this rule.

"2. The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of correspondents who shall see that the occupation of the galleries is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers or newspaper associations requiring telegraphic service; and it shall be the duty of the standing committee at their discretion, to report violation of the privileges of the galleries to the Speaker, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended.

"3. Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to admission to the Press Galleries; and the Press List in the Congressional Directory shall [fol. 1230] be a list only of persons whose chief attention is given to telegraphic correspondence for daily newspapers or newspaper associations requiring telegraphic service.

"4. Members of the families of correspondents are not entitled to the privileges of the galleries.

"5. The Press Galleries shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the

House of Representatives and the Senate Committee on Rules.

"Approved.

Sam Rayburn, Speaker of the House of Representatives.

Approved by the Committee on Rules of the Senate."

Response. Admits.

Request No. 30. Attached hereto and marked Exhibit B is a true and corect copy of the Final Decree entered in the office of the Clerk of the United States District Court for the Southern District of New York on or about May 19, 1919, in an action brought in said court entitled "Associated Press *vs.* International News Service."

Response. Admits.

Request No. 31. Attached hereto and marked Exhibit C is a true and correct copy of a letter dated November 15, 1941, signed by Marshall Field and sent to J. D. Gortatowsky.

Response. Admits.

[fol. 1231] *Request No. 32.* The Washington, D. C. Times Herald has been published as a daily paper since 1939.

Response. Admits.

Request No. 33. The daily average circulation of the Washington, D. C. Times Herald has risen from over 180,000 copies in 1939 to over 220,000 copies in 1942.

Response. Admits.

Request No. 34. The Chicago Sun has been published continuously since December 4, 1941.

Response. Admits.

Request No. 35. The Chicago Sun attained a daily average circulation of over 277,000 in less than one year after commencing publication.

Response. Admits.

Request No. 36. The average monthly Sunday circulation of The Chicago Sun for the months of July, 1942, to March, 1943, inclusive, was as follows:

July,	1942	327,837
August,	"	350,353
September,	"	386,467
October,	"	395,476
November	"	402,732
December,	"	404,413
January,	1943	405,741
February,	"	406,271
March,	"	406,822

Response. Admits.

[fol. 1232] *Request No. 37.* The Chicago Sun as of September 30, 1942 had the eleventh largest morning circulation in the United States.

Response. Admits.

Request No. 38. Excluding tabloids, The Chicago Sun as of September 30, 1942 ranked eighth in circulation among the morning papers in the United States.

Response. Admits.

Request No. 39. On January 17, 1943, Marshall Field stated in The Chicago Sun as follows:

> "Since last July The Sun's circulation has increased every month.
>
> "This record of first year growth has never been approached by any newspaper in the entire history of American journalism.
>
> "As a matter of fact, The Sun stands today eleventh among all the 356 morning newspapers in the United States.
>
> . . . . . .
>
> "We established The Sun on fundamental business principles and after a reasonable initial investment we expect and know that the paper, like any other successful business enterprise, will show a profit."

Response. Admits that the sentences quoted in Request No. 39 are excerpts from a statement of Marshall Field published in The Chicago Sun on January 17, 1943, a true copy of which statement, marked Plaintiff's Exhibit A, is annexed hereto as part hereof.

[fol. 1233] *Request No. 40.* The statements made by Marshall Field referred to in the previous paragraph were true when made.

Response. Admits that the statement referred to in plaintiff's response to Request No. 39 was true when made.

Request No. 41. Attached hereto and marked Exhibit D is a true and correct copy of an advertisement published in The Chicago Sun Monday, January 25, 1943.

Response. Admits.

Request No. 42. On January 20, 1943, in a statement published in The Chicago Sun, Turner Catledge, editor of The Chicago Sun, said:

> "We are proud of the success that has met our enterprise."

Response. Admits that the sentence quoted in Request No. 42 is an excerpt from a statement of Turner Catledge published in The Chicago Sun on January 20, 1943, a true copy of which statement, marked Plaintiff's Exhibit B, is annexed hereto and made a part hereof.

Request No. 43. On or about October 25, 1942, the Promotion and Research Department of The Chicago Sun issued a statement entitled "Let's Look at the Record," a true and correct copy of which is attached hereto and marked Exhibit E.

Response. Admits, except that the statement was published in November, 1942.

[fol. 1234] *Request No. 44.* Attached hereto and marked Exhibit F is a copy of an advertisement issued by The Chicago Sun in September, 1942.

Response. Admits.

Request No. 45. Attached hereto and marked Exhibit G is a true and correct copy of an advertisement published

by The Chicago Sun in Editor & Publisher Magazine for November 21, 1942.

Response. Admits.

Request No. 46. In a brochure entitled "Sun Rise", issued by The Chicago Sun in or about December, 1942, the following statements appear:

> "Proof that The Sun was a dynamic newspaper * * * equipped to deliver the news accurately, fairly and first-in-a-crisis * * * came on the fourth day of publication. When the cables burned with the story of Pearl Harbor, the Sun reacted with veteran coolness and was on the streets first * * * ahead of its 95-year-old rival * * * with one of the most important war extras in Chicago history.
>
> "Since then the Sun has consistently delivered to its readers a large number of exclusive local, national, and foreign news stories. In fact, The Sun has regularly given its readers more news for their money than any other Chicago paper, and more than all but three papers in America: The New York Times, New York Herald Tribune, and Philadelphia Inquirer.
>
> * * * * * * *
>
> "The steady rise of The Sun's daily circulation dur-
> [fol. 1235] ing recent months * * * a more consistent rise than that of any other Chicago newspaper during the same period * * * shows that Chicago morning newspaper readers have a growing appetite for facts accurately presented!"

Response. Admits, but attaches as part hereof, marked Plaintiff's Exhibit C, a correct copy of the full statement contained in the brochure of which the quotations contained in Request No. 46 are excerpts.

Request No. 47. Attached hereto and marked Exhibit H is a true and correct copy of page 8 in a brochure issued by The Chicago Sun, entitled "Sun Rise."

Response. Admits that Exhibit H referred to in Request No. 47 sets forth excerpts from the full statement contained in Plaintiff's Exhibit C.

Request No. 48. Attached hereto and marked Exhibit I is a true and correct copy of page 12 of a brochure issued by The Chicago Sun and entitled "Sun Rise."

Response. Admits that Exhibit I referred to in Request No. 48 sets forth excerpts from the full statement contained in Plaintiff's Exhibit C.

Request No. 49. Attached hereto and marked Exhibit J is a true and correct copy of page 13 of a brochure issued by The Chicago Sun and entitled "Sun Rise."

Response. Admits that Exhibit J referred to in Request No. 49 sets forth excerpts from the full statement contained in Plaintiff's Exhibit C.

Request No. 50. Attached hereto and marked Exhibit K is a true and correct copy of pages 21-28 of a brochure issued by The Chicago Sun, entitled "Sun Rise."

[fol. 1236] *Response.* Admits that Exhibit K referred to in Request No. 50 sets forth excerpts from the full statement contained in Plaintiff's Exhibit C.

Request No. 51. Attached hereto and marked Exhibit L is a true and correct copy of an advertisement appearing in the Editor & Publisher Magazine on April 24, 1943.

Response. Admits.

John Henry Lewin, Charles H. Weston, Charles B. Rugg, Special Assistants to the Attorney General.

Duly sworn to by John Henry Lewin. Jurat omitted in printing.

(Here follow 2 photolithographs, side folios 1237-1238.)

A Statement by MARSHALL FIELD

Founder of The Chicago Sun

MANY people around Chicago keep asking me, *"How is The Sun doing?"* The interest seems to be so general I thought it would be a good idea to answer that question publicly, telling of our troubles along with our accomplishments.



MARSHALL FIELD

Just how well The Sun is doing may surprise you, if you don't happen to know the facts, but first let me clear up a few points and answer a few questions that are most frequently asked me.

Some people have been led to believe that The Sun was conceived and established as a partisan tool.

We printed our first paper December 4, 1941, and three days later came the attack on Pearl Harbor. So it goes without saying that if The Sun had been founded purely on the issue of America's participation in the war, or on any kind of political basis, we would not be in existence today, much less enjoying a healthy growth.

It didn't seem to us that one morning paper in a city of Chicago's size was properly representative of Chicago. It was an un-American situation, existing right here in the city which means so much to me personally.

people who were standing in line the night our first issue hit the streets, and temporarily left us, are now coming back as regular subscribers.

Everybody probably remembers the trouble we had at first getting on the closely-controlled newsstands and carrier routes. Many of our friends were indignant and disappointed, but those troubles are now behind us.

Since last July The Sun's circulation has increased every month.

This record of first-year growth has never been approached by any newspaper in the entire history of American journalism.

As a matter of fact, The Sun stands today *eleventh* among all the 356 morning newspapers in the United States.

Here's another interesting fact: I keep running into people who think The Sun (now in its fourteenth month) is in its third, fourth or fifth year.

That's perfectly swell. From the beginning we have tried to give The Sun maturity in its appearance and operation, and Chicago people seem to have accepted The Sun as an established institution.

Unquestionably the major key to our success is our insistence on Truth.

We believe the news columns of a newspaper belong solely to the reader in the reports the facts and news that tries to sell a personal and biased point of view. They seem to enjoy the new experience of getting the facts and forming their own opinions.

This is one basic reason for our growth, and here is another: *In our editorial columns we give free play to expression of opinion in a way that is fresh and new in Chicago.* It may be likened, I think, to the old town meeting where citizens were encouraged to express their own opinions, and where free speech in this country was really born.

- *Right now The Sun has only one battle cry: Win the war and win the peace. Any policy which blocks the war effort in any way will be condemned by this paper.*
- *In politics, we have no enemies to punish, no friends to reward.*
- *We believe in the democratic principle of majority rule and minority rights.*
- *We propose to hit hard and fairly for the progress of the country and the community.*
- *We believe in the inevitable destiny of Chicago as a world center of commerce and culture.*
- *We established The Sun on fundamental business principles and after a reasonable initial investment we expect and know that the paper, like any other successful business enterprise, will show a profit.*

Founder of The Chicago Sun

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MARSHALL FIELD

that question publicly, telling of our troubles along with our accomplishments.

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It didn't seem to us that one morning paper in a city of Chicago's size was properly representative of Chicago. It was an un-American situation, existing right here in the city which means so much to me personally.

Los Angeles and Philadelphia each had two morning papers. Boston and New York each had *four*. But Chicagoans had no choice.

At first people didn't seem to realize that what we had in mind was a superior newspaper, based on the highest standards of journalism.

Many who expected miracles were naturally disappointed, but hundreds of the people who were standing in line the night our first issue hit the streets, and temporarily left us, are now coming back as regular subscribers.

Everybody probably remembers the trouble we had at first getting on the closely-controlled newsstands and carrier routes. Many of our friends were indignant and disappointed, but those troubles are now behind us.

Since last July The Sun's circulation has increased every month.

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That's perfectly swell. From the beginning we have tried to give The Sun maturity in its appearance and operation, and Chicago people seem to have accepted The Sun as an established institution.

Unquestionably the major key to our success is our insistence on Truth.

We believe the news columns of a newspaper belong solely to the reader in the form of unadulterated, uncolored news, based on the Truth; that the editorial columns are the place for expressing opinions. For example, cartoons, which are a form of editorial opinion, have never appeared on the front page of The Sun.

Saturated for years with editorialized and distorted news, Chicago *morning* newspaper readers now may choose between news that reports the facts and news that tries to sell a personal and biased point of view. They seem to enjoy the new experience of getting the facts and forming their own opinions.

This is one basic reason for our growth, and here is another: *In our editorial columns we give free play to expression of opinion in a way that is fresh and new in Chicago.* It may be likened, I think, to the old town meeting where citizens were encouraged to express their own opinions, and where free speech in this country was really born.

- *Right now The Sun has only one battle cry:* Win the war and win the peace. *Any policy which blocks the war effort in any way will be condemned by this paper.*
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- *We believe in the democratic principle of majority rule and minority rights.*
- *We propose to hit hard and fairly for the progress of the country and the community.*
- *We believe in the inevitable destiny of Chicago as a world center of commerce and culture.*
- *We established The Sun on fundamental business principles and after a reasonable initial investment we expect and know that the paper, like any other successful business enterprise, will show a profit.*
- *We shall continue to treat the news objectively, without passion or prejudice, and our editorial pages will always invite free discussion and opinion.*
- *We propose to keep on publishing a vigorous, liberal and completely independent paper which will mirror Chicago to itself in its best light.*
- *We aim to help tomorrow be a better day*

1237

Plaintiff's Exhibit A

938A

Building a morning Truthpaper for Chicago

A Statement by Turner Catledge . . Editor of The Chicago Sun

THE morning newspaper situation in Chicago was long looked upon as a disgrace by self-respecting newspapermen.

Long before joining The Chicago Sun, I was dumbfounded time and again by the handling of news in the Chicago morning field, as contrasted with that of leading newspapers across the country.



TURNER CATLEDGE

It was obvious to me and my friends in the profession—both in Chicago and the country at large—that Chicago morning paper readers too often were getting a completely distorted picture of local, national and world events.

Could it be that the people of America's second largest city—men and women who figure things out for themselves in business, politics, and in their personal affairs—really wanted that sort of thing? I couldn't believe it.

* * *

Therefore, when I was invited to join The Sun, I welcomed the chance. It was an opportunity to help build a morning newspaper that would not deliberately distort or withhold the news, that would not deliberately distort a reader's understanding of current events. As an amusingly simple example, let's take the old saying:

"AN APPLE A DAY KEEPS THE DOCTOR AWAY"

The same facts, distorted and exaggerated, could be made to read

FRUIT GROWERS DESTROYING MEDICAL PROFESSION

Seriously this example is no more farfetched than many actual distortions of the news which appear in the Chicago morning field—but not in The Sun.

If a sailor in the Merchant Marine says, *"The voyage to Murmansk is dangerous,"* our story says exactly that—

—not that *"all members of U. S. Merchant Marine are lily-livered cowards."*

The blue and white Truth posters you see around Chicago are no mere boastful display. They represent the aspirations and responsibility felt by the editors and staff of The Sun.

The masthead on the editorial page of The Sun carries this statement:

"The news columns shall be fair and accurate; the editorial columns shall be honest and just in the expression of conscientious opinion."

On this editorial page and in our signed features, you will often find a wide divergence of opinion in the same issue. This is American.

Note the names that are now shining out of the pages of The Sun. Samuel Grafton, Walter Lippmann, K. M. Landis II, Mark Sullivan, Frank Kent, Phil Hanna, M. W. Fodor, Warren Brown, Frank Smothers, Robert Lasch and others.

These are men with independent minds, with something to say, and the ability to say it. These writers are free to give us the best they can bring, unhampered by political axe-grinding or by the personal prejudices of a dictatorial publisher.

Here is an open-minded and independent attitude that denies all political alliances.

The Sun does not wear the colors of any party.

We have one fixed editorial purpose—

for Chicago

A Statement by Turner Catledge . . Editor of The Chicago Sun

THE morning newspaper situation in Chicago was long looked upon as a disgrace by self-respecting newspapermen.

Long before joining The Chicago Sun, I was dumbfounded time and again by the handling of news in the Chicago morning field, as contrasted with that of leading newspapers across the country.



TURNER CATLEDGE

It was obvious to me and my friends in the profession—both in Chicago and the country at large—that Chicago morning paper readers too often were getting a completely distorted picture of local, national and world events.

Could it be that the people of America's second largest city—men and women who figure things out for themselves in business, politics, and in their personal affairs—really wanted that sort of thing? I couldn't believe it.

* * *

Therefore, when I was invited to join The Sun, I welcomed the chance. It was an opportunity to do a constructive job that any sincere newspaperman would give his right arm to tackle. Here was a wide-open chance to be of public service, merely through the simple application of honest journalism.

* * *

The unfortunate thing is that many times the truth can be distorted without changing the essential facts. It's amazing how a slight change in the wording of a news item or the use of a headline can completely distort a reader's understanding of current events. As an amusingly simple example, let's take the old saying:

"AN APPLE A DAY KEEPS THE DOCTOR AWAY"

The same facts, distorted and exaggerated, could be made to read

FRUIT GROWERS DESTROYING MEDICAL PROFESSION

Seriously this example is no more farfetched than many actual distortions of the news which appear in the Chicago morning field—but not in The Sun.

If a sailor in the Merchant Marine says, *"The voyage to Murmansk is dangerous,"* our story says exactly that—

—not that *"all members of U. S. Merchant Marine are lily-livered cowards."*

The blue and white Truth posters you see around Chicago are no mere boastful display. They represent the aspirations and responsibility felt by the editors and staff of The Chicago Sun. The Sun is edited on the simple premise that "news" means honest news—facts reported as straight as they can be had.

* * *

There is nothing that could so humiliate a conscientious reporter as to be asked to distort a story to please the personal bias of his publisher. And there is no one held in such low regard by other newspapermen as the reporter who submits to such a thing.

The masthead on the editorial page of The Sun carries this statement:

"The news columns shall be fair and accurate; the editorial columns shall be honest and just in the expression of conscientious opinion."

On this editorial page and in our signed features, you will often find a wide divergence of opinion in the same issue. This is American.

Note the names that are now shining out of the pages of The Sun: Samuel Grafton, Walter Lippmann, K. M. Landis II, Mark Sullivan, Frank Kent, Phil Hanna, M. W. Fodor, Warren Brown, Frank Smothers, Robert Lasch and others.

These are men with independent minds, with something to say, and the ability to say it. These writers are free to give us the best they can bring, unhampered by political axe-grinding or by the personal prejudices of a dictatorial publisher.

Here is an open-minded and independent attitude that denies all political alliances.

The Sun does not wear the colors of any party.

We have one fixed editorial purpose—to fight every selfish, narrow, bigoted idea that blocks or retards America's war effort.

* * *

We are proud of the success that has met our enterprise. . . . We glory in our opportunity to serve, and in the greatness of the city we are serving. . . Here is a city that is handy to the farms, the mines and the woods of all America—the city where the great trains start. . . Here is room to breathe, room to expand, room to build . . . Here is a paper unafraid of tomorrow—dedicated not only to reflecting the present greatness of Chicago but, in its own strength, striving to be worthy of the truly noble future of this World City by the Lake . . .

Plaintiff's Exhibit 23

[fol. 1239] PLAINTIFF'S EXHIBIT C

Copy of Statements Contained in the Anniversary Booklet Prepared by The Chicago Sun

SUN RISE

Chicago, December 4, 1941-1942

Page 2

On the night of December 3, 1941

* * *

Page 3

the people of Chicago waited

* * *

Page 4

until The SUN appeared

* * *

Page 5

FIRST EDITION

The story back of this first edition is dramatic because The Sun was planned, organized, staffed, named, and co-ordinated as a fully functioning newspaper in only sixty days from the decision to publish. It's the only story of its kind in the 153-year history of free American journalism!

The Sun was Chicago's own idea * * * demanded by thousands of Chicagoans in petitions and mass-meetings * * * named "The Sun" by a popular majority in a [fol. 1240] naming contest that brought 220,000 entries * * * subscribed to by more than 100,000 families before publication.

No wonder the crowds waiting at newsstands to buy The Sun's first edition * * * and their excitement when the first copies appeared * * * suggested an event of world importance! For Chicagoans The Sun's birthday was important. It was an expansion of their democratic privilege of free choice and opinion. For the first time in many months they could choose between two morning newspapers.

How did Chicago respond to The Sun after that first dramatic day? Turn the pages and let the facts show you.

Page 7

Only 4 Days Old * * * The Sun Scoops Chicago With a War Extra!

* Proof that The Sun was a dynamic newspaper * * * equipped to deliver the news accurately, fairly, and first-in-a-crisis * * * came on the fourth day of publication. When the cables burned with the story of Pearl Harbor, The Sun reacted with veteran coolness and was on the streets first * * * ahead of its 95-year-old rival * * * with one of the most important war extras in Chicago history.

Since then The Sun has consistently delivered to its readers a large number of exclusive local, national and foreign news stories. In fact, The Sun has regularly given its readers more news for their money than any other Chicago paper, and more than all but three papers in America: The New York Times, New York Herald-Tribune, and Philadelphia Inquirer.

Chicagoans asked for a new morning Newspaper that would give them more facts fairly and accurately presented. They got it in The Sun.

[fol. 1241]

Page 8

In Less Than a Year The Sun Was Established as One of the Largest Morning Daily Papers in America!

The Sun's circulation record stands alone in the history of American publishing. No other American newspaper has ever won and held so many readers during its first year of publication, not even The New York Daily News * * * circulation giant of the newspaper business * * * which averaged about 100,000 readers less during its first twelve months. (To be exact, The New York Daily News showed a circulation of 185,828 on its first twelve months Audit Report, and the total net paid circulation of the daily Sun * * * at eleven months * * * was 289,843.)

According to the latest available figures, The Sun stands eleventh in circulation among all U. S. Daily morning papers, and eighth among full-sized morning papers.*

---

* October, 1942, figures.

No more striking evidence could be given that Chicago wanted a new morning newspaper * * * and that The Sun was the kind of newspaper it wanted.

(*continued*)

39 U. S. Morning Newspapers With 100,000 or More Total Net Paid Circulation

City and Newspaper	*Circulation*	*of Years Published*
New York News (Tabloid)	1,979,328	23
Chicago Tribune	1,030,848	95
New York Mirror (Tabloid)	769,139	18
New York Times	454,502	91
Philadelphia Inquirer	429,168	113
Boston Post	371,236	111
Detroit Free Press	326,895	111
New York Herald-Tribune	323,189	101
Kansas City Times	315,676	41
[fol. 1242]		
Boston Record (Tabloid)	314,748	129
Chicago Sun	289,843	11 Months
St. Louis Globe-Democrat	244,267	90
Los Angeles Examiner	242,939	39
Pittsburgh Post-Gazette	238,073	156
Cleveland Plain Dealer	236,698	97
Los Angeles Times	235,019	61
Philadelphia Record	228,887	72
Des Moines Register	177,364	93
San Francisco Examiner	168,293	62
Baltimore Sun	152,318	105
Portland Oregonian	152,181	92
Washington Post	150,775	65
New Orleans Times-Picayune	140,497**	105
Boston Globe	136,405	70
Indianapolis Star	135,877**	39
Atlanta Constitution	135,337	74
Memphis Commercial Appeal	132,893	102
Louisville Courier-Journal	128,107	116
Boston Herald	127,886	96
Buffalo Courier-Express	127,686	108
Cincinnati Enquirer	127,275	101

		Number of Years
Milwaukee Sentinel	125,163	105
San Francisco Chronicle	119,155	77
Seattle Post-Intelligencer	112,940	79
Dallas News	110,386	100
Newark Star Ledger	105,617	110
Houston Post	104,621	57
Miami Herald	102,086	32
Fort Worth Star-Telegram	100,158	47

* October, 1942, figures.
** 3-Month Period ending March 31, 1942.

Source: Publishers'. March 31, 1942. Statements as reported in 1942 Standard Rate and Data Service for October.

[fol. 1243] *Page 9*

Editorial Integrity—News-Getting Enterprise—Human Interest—Community Service

These Basic Factors of Fine Journalism Caused The Sun's Phenomenal Rise:

The Sun was born full-grown * * * a full-sized metropolitan newspaper with a hundred thousand subscribers, hundreds of thousands of readers, and a positive plan of action.

The Sun was planned to be a newspaper for the Chicago community * * * shaped to the ideals, needs, interests, and tastes of the community * * * edited to develop a strong bond of confidence and understanding between editors and readers.

No arbitrary editorial pattern was established and the only policies laid down were those basic to vigorous American journalism: a devotion to objective reporting * * * the accurate and uncolored presentation of the facts, a conscientious concern for freedom of opinion, and an equal concern for the responsibilities of editorship.

For the rest, The Sun's program was frankly experimental * * * subject to development by the impact of events. The editors were left free to learn what Chica-

goans wanted from The Sun, and * * * within limits of policy, time, and means * * * to give them what they wanted.

How The Sun * * * within a year * * * gave Chicagoans what they wanted, is told briefly in the following pages.

[fol. 1244] *Page 10*

Chicago Morning Newspaper Readers Wanted the TRUTH

And day by day The Sun delivered * * * The Fair and Accurate Reporting of the Facts

From the beginning, The Sun's news policy * * * stated on its masthead * * * has been: "The news columns shall be fair and accurate."

To carry out this policy, Editor Turner Catledge and his staff hold a firm check-rein on conjecture and opinion * * * check and double-check every alleged fact and quotation that comes by phone or wire. To seasoned newspaper men, The Sun's meticulous attention to factual detail is impressive. They know what accuracy costs in time, care, and money.

This policy of accuracy is not sensational * * * and builds no skyrocket circulation. It is just sound journalism which * * * carried on day after day * * * wins the enduring support of intelligent citizens who do not like to be misinformed or led by the nose.

The steady rise of The Sun's daily circulation during recent months * * * a more consistent rise than that of any other Chicago newspaper during the same period * * * shows that Chicago morning newspaper readers have a growing appetite for facts accurately presented!

[fol. 1245] *Page 11*

Chicago Morning Newspaper Readers Wanted Well-Reasoned Editorials

And day by day The Sun delivered them * * * Fairminded Discussions of Local, National, and Global Issues

In Chicago, as in other American cities, excess of editorial bias is not welcomed at the breakfast table. Good temper

is needed for good digestion, especially in times of national strain. The Sun's sane and well-reasoned editorials came as a welcome relief to many Chicagoans weary of a morning diet of rhetorical red pepper.

When, as often happens, a question has two right sides, The Sun presents both of them. When, as in recent cases of water pollution and taxation, the rights of the community demand strong editorial speaking, The Sun pulls no punches • • • and, on its record, gets results.

The Sun's masthead states: "the editorial columns shall be honest and just in the expression of conscientious opinion." Omitted from the masthead, but always present in the thoughts of editorial writers, is the declaration: "The Sun's editorials shall be rational, readable, and righteously forceful when fighting for the rights of its readers."

Page 12

Chicago Morning Newspaper Readers Wanted
Unbiased News from Washington

And day by day The Sun delivered it!

• • • Factual Reports on National Events and Issues To cover Washington • • • now the news center of the world • • • The Sun organized the largest Washington [fol. 1246] Bureau of any newspaper, staffed and equipped it to cover all the news every day.

Headed by Bascom Timmons • • • who has covered Washington from the inside for 30 years • • • a staff of 18 specialists daily fights its way through rumor and red tape to get all the facts that can be told.

A remarkable tribute to The Sun's Washington Bureau was paid by The Washington Post when • • • acting on its direct knowledge of the field • • • it bought The Sun's Washington News Service for its readers.

One reason why more Chicagoans are reading The Sun every month is because it tells them facts from Washington without editorial flavoring.

Chicago Morning Newspaper Readers Wanted First-Hand News of the War

And day by day The Sun delivered it!

Chicagoans are connoisseurs of foreign news reporting. To give them the high quality of foreign news coverage they demand, The Sun developed • • • in less than a year • • • one of the fastest-moving, quickest-thinking organizations of foreign correspondents in the field.

Headed by H. R. Knickerbocker • • • veteran foreign correspondent and Pulitzer Prize winner • • • The Sun's staff has sailed, ridden, flown, and walked to every major scene of action. They've traveled with the Marines to Guadalcanal (where John G. Dowling, bombs bursting about his ears, wrote one of the most thrilling stories of the war) • • • with the U. S. Army to Australia and New Zealand, where Edward Angly scored a sensational news beat by being the first reporter to announce that the "Yanks" were in Australia, and H. R. [fol. 1247] Knickerbocker turned up with an exclusive story of "MacArthur's Thrilling Dash to Australia." They've traveled to China, India, Russia, Egypt and Algeria, London and Eire, and throughout Latin America in order to bring up-to-the-minute news to Sun readers day in and day out.

A score of Sun correspondents are already famous for their special talents: Chester Morrison for his ability to project the mood and meaning of a story through the screen of censorship; John Dowling for his vivid "hot spot" word pictures; John Adams for his penetrating analysis of our great ally, Brazil; Frederick Kuh, Head of The Sun's London Bureau, and his associate, William Humphreys, for a mature inside grasp of the diplomatic scene. All in all, The Sun's foreign staff is one of the best in the world today!

Page 14

Chicago Morning Newspaper Readers Wanted
Hard-Hitting Cartoons

And day by day The Sun delivered them

The Sun has one of the most unusual teams of cartoonists of any newspaper • • • Charles Werner and Jack Lambert • • • who work in two different mediums • • • brush and clay • • • to add pictorial point and humor to The Sun's editorial page.

Werner, a Pulitzer prize winner, is achieving a rapidly growing Chicago audience.

Lambert, also nationally famous, pleases Sun readers with something new—sculptured cartoons modelled in clay and photographed under special lighting to tell their story with contrasting lights and shadows.

Between the two, readers of The Sun's editorial page have consistently enjoyed a welcome daily laugh • • • an American way of exercising their democratic sense of political proportions.

[fol. 1248]

Page 15

Chicago Morning Newspaper Readers Wanted
Columnists of National Calibre

And day by day The Sun delivered them

• • • News Commentators Whose Opinions Make News

Chicago has long had a taste for expert news analysis and interpretation. Nowhere are newspaper readers more appreciative of good columnists or critical of weak ones. To satisfy this interest The Sun worked out a balanced ration of comment and opinion based on the solid meaty stuff put out by writers like Samuel Grafton, Walter Lippmann, and M. W. Fodor.

Grafton's plain speaking and militant democracy is just what Chicago wanted. His column, "I'd Rather Be Right" is a favorite Sun feature with a steadily growing audience.

Lippmann and Fodor appeal to Chicagoans for different reasons. Lippmann is the acknowledged master of rea-

soned news analysis * * * a luminously clear commentator who has earned an audience of millions during the past 20 years. Fodor's masterly first-hand knowledge of Central Europe * * * recognized by leading foreign correspondents as all-encompassing * * * gives his column special interest for the large number of Chicagoans who are bound by blood ties to Europe. John Gunther, ace correspondent, paid an unusual tribute to Fodor when he wrote: "Fodor has the most acutely comprehensive knowledge of Central Europe of any journalist I know. Of all Europe, for that matter * * * he educated Dorothy Thompson and me practically from the cradle."

With Grafton to speak for democracy, Lippmann to clarify their thoughts, Fodor to give them inside facts about the war, and other nationally famous writers such as * * *

Frank Smothers, Chief of Editorial Staff,
Dale Harrison, Robert Lasch, Irving Brant,
Harold Taylor, W. A. S. Douglas, Warren Wheaton,

[fol. 1249] to highlight the news, Sun readers are sure of a well-rounded body of informed opinion. And every month, more Chicagoans are turning to The Sun for its famous "page-opposite-editorials."

Page 16

Chicago Morning Newspaper Readers Wanted
Some New Laughs

* * * New Comic Strip Personalities for
Kids and Grownups
And day by day The Sun delivered them

The popularity of comics is an unsolved mystery of newspaper publishing * * * (solve it, and you'll make a fortune!) * * * but it is bound up with public taste and habit. The Sun's comics evidently appeal to Chicago taste for they are creating a steadily growing group of new readers.

Youngsters and grownups * * * probably more of the latter * * * follow the daily adventures of Mr. J. J. J. O'Malley, Barnaby's erudite fairy godfather and the most whimsical character ever to follow a leprechaun across the printed page. For those who like well-drawn adventure strips, there is Captain Midnight who thrills his audience

daily and Sunday with daring secret service exploits. Hap Hopper • • • Washington Correspondent • • • satisfies the current interest in journalistic adventure. And • • • a *novelty* in the Chicago daily morning field • • • Nancy and The Toodles are true children's strips, edited for the grammar school set. In fact, The Sun's comics span the full range of reader interest from the highest adult brow to the lowliest tousle-head.

[fol. 1250] *Page 17*

Chicago Morning Newspaper Readers Wanted
A New Sports Picture

And day by day The Sun delivered it!
• • • More Graphic, Factual, and
Complete Sports Coverage

After twenty-seven years as sports writer and editor on newspapers in San Francisco, New York, and Chicago, Warren Brown knew the kind of Sports Section that Chicagoans wanted. He came to The Sun to give it to them.

Brown's record for calling his shots goes back to 1915 when he predicted that Dempsey • • • a little-known dark horse • • • would take Jess Willard's crown. Long an intimate friend of Knute Rockne, Brown was first with his biography after the great coach's tragic death. He was also the first sports writer to appear as a radio commentator at a World Series.

Under his direction, The Sun's sports pages publish more news • • • of more sports and more games • • • college, prep school, and professional • • • than any other midwest newspaper. The 12-page Sunday Sports Section has been hailed by 150 of America's leading athletic coaches as a major advance in sports journalism. Amos Alonzo Stagg—the "Grand Old Man of Football", "Fritz" Crisler, and many others have voluntarily written letters to The Sun praising the "completeness" • • • "pictorial excellence" • • • "enterprise and aggressiveness" of its sports coverage.

[fol. 1251] *Page 18*

Chicago Morning Newspaper Readers Wanted More Attention to Women's Interests

And day by day The Sun delivered it!

*** * * More Factual and Considerate Treatment of Their Problems**

The Women's Pages of The Sun are quite conventional because * * * bless them! * * * most women are conventional about child-care, home economics, health and beauty, and other feminine interests. The Sun's policy is to give women readers what they want * * * and its soundness is proved by their responsiveness. More than half a million requests for Sun leaflets, many of which cost three and ten cents * * * have been received to date.

Under the editorship of Gudrun Alcock, a staff of capable women writers has worked out a pattern that is winning the approval of a steadily growing audience of Chicago wives and mothers.

Page 19

Chicago Morning Newspaper Readers Wanted a More Newsworthy Treatment of Society and Club News

And day by day The Sun delivered it!

In Chicago, society and club news is not restricted to a single clique or set. There is a broad field of social activity to be covered * * * most of it now related to the war effort. The Sun's policy is to report all the news of public interest in this field * * * factually, accurately, and fairly.

Sarah Brown Boyden, Society Editor, and Neola Northam, Club Editor, have a wide and intimate knowledge of Chicago personalities. Their treatment of Society and [fol. 1252] club news breaks completely with stodgy conventions. As a direct result, Chicago morning readers are developing a new and growing interest in The Sun's Society and Club page.

Page 20

Chicago Morning Newspaper Readers Wanted Uncolored Financial Facts

And day by day The Sun delivered them • • • Especially Facts about Legislation and Industrial Trends

News affecting Chicago business men flows in from The Sun's Washington Bureau • • • supplementing the usual financial and industrial news releases. Statistics of basic interest or pictographically presented • • • a special Sun feature. And Phil Hanna • • • a favorite Mid-West commenator on business • • • dips daily into his incredibly broad experience as banker, reporter, editor, and Man-About-the-Mid-West to interpret the facts as he finds them.

Phil Hanna's ambition is to make The Sun's business pages the best in America • • • and Chicagoans think he is well on his way.

Page 21

Because

It gave Chicago morning newspaper readers what they wanted • • • day by day • • • weekdays and Sundays • • • The Sun accomplished more in its first year • • • in building circulation, influence, and advertising linage • • • than any newspaper ever did since the bill of rights established free American Journalism in 1789!

The facts • • • in figures • • • of The Sun's accomplishments are shown on the following pages.

[fol. 1253] *Page 22*

Before December 4, 1941, The Tribune stood alone in the Chicago morning newspaper field • • • with 100% of the circulation.

Now • • • in 1942 • • • one out of every three newspaper readers reads The Chicago Sun.

The Sun Is Rising Fast in the Chicago Morning Newspaper Field

Before December 4, 1941, New York and Boston each had four morning newspapers; Philadelphia, Washington, Los

Angeles and San Francisco had two morning newspapers apiece; but Chicago * * * second city of the nation * * * had only one. The Tribune stood alone in the morning field with 100% of the circulation and advertising.

The field was open to establish a second successful morning newspaper in Chicago * * * to meet the expressed demand of Chicagoans of every income group for a new type of morning newspaper * * * and to give national and local advertisers a new front door to Chicago's huge market.

It was because The Sun satisfied an existing need that 100,000 Chicagoans subscribed to it before publication * * * and hundreds of advertisers gave it early recognition and acceptance. Today, the circulation trend and the advertising linage record show that there is a definite shift towards The Sun.

Page 23

The Sun's Daily Circulation Shows a Steadily Rising Trend

When The Sun broke into the Chicago morning field, some pessimists said, "They'll never lick the circulation problem." It was a tough one. * * * perhaps the toughest ever faced by a new newspaper.

[fol. 1254] The Sun was determined to secure efficient carrier distribution * * *; and a full and equal share of newsstand display space * * * on a basis of fair competition.

The problem of carrier distribution was solved two months after publication * * *; as announced February 4th, 1942 * * * when The Sun obtained the services of the "Official Carriers" * * * long-established Newspaper Distributors' Association of Chicago.

Full newsstand display space was secured and announced less than five months later * * * on June 26th.

As a result of overcoming these obstacles, and constantly improving the paper itself, The Sun's circulation has shown consistent increases, until today it ranks as the 11th largest daily morning newspaper in the United States.

A chart appeared on Page 23 entitled—

"Total Net Paid Daily Average Circulation of the Chicago Sun * * * July-October, 1942"

The figures shown:

269,099 in July 289,843 in October

Page 24

Sundays Too, The Sun's Circulation Follows a Rising Curve!

The Sun gives Sunday readers in Chicago and suburbs more for their money * * * Parade, Book Week, a complete novel, two sections of standard-sized color comics as well as a comic book for the children, an abundance of news, special stories, and a large quantity of well-diversified advertising.

A feature by feature comparison between The Sunday Sun and other Chicago Sunday newspapers supports the [fol. 1255] idea that The Sun makes the broadest editorial appeal to all classes of Chicago Sunday readers.

As a result, The Sun's Sunday circulation keeps on climbing.

A chart appeared on Page 24 entitled—

"Total Net Paid Sunday Average Circulation of The Chicago Sun * * * July-October, 1942"

The figures shown:

327,837 in July 395,476 in October

Page 25

The Amazing First Year Advertising Record of The Sun * * * stands as a striking proof of the strategically concentrated responsiveness of The Sun's circulation.

7,439,706 lines of advertising in the first 50 weeks.

from:

541 Local Advertisers
including Chicago's leading Loop department

stores and women's specialty stores • • •
949 National Advertisers
and their 276 Advertising Agencies • • •
and more than 600 amusement advertisers
and thousands of classified advertisers

Page 26

State Street Paid a Dramatic Tribute to The Sun's Selling Power!

The six leading department stores whose business is mainly in Chicago's world famous loop • • • •

[fol. 1256] • • • and women's specialty and clothing shops throughout metropolitan Chicago • • •

ran more lines of advertising in The Sun in 1942 (January through November 19th) than in any other Chicago paper except the 95-year-old Tribune.

From the starting gun, The Sun established itself as the runner-up in a fast field • • • the second choice of Chicago's shrewdest retail merchandisers who buy advertising on the basis of its measured response down to the last decimal of sales return per line and per dollar.

Their choice of The Sun as their second medium of advertising was the tribute of master salesmen to a selling newspaper.

Page 27

Any way you figure it • • •
The Sun Strengthened its National
Advertising Position • • •
Month after month • • • in 1942!

In the face of a shrinking total volume of national advertising* in American newspapers, The Sun has consistently acquired a growing proportion of the national advertising linage placed in Chicago newspapers.

This is true whether or not the national advertising linage that is carried automatically in weekly "supplements" is included.

---

* General, Automotive and Financial.

[fol. 1257] There is one basic reason for the growing preference among national advertisers for The Sun. The Sun readership supports Sun advertisers * * * and many of the 949 national advertisers who used The Sun in 1942 have learned this fact by experience.

The confidence that The Sun has earned from all classes of Chicago newspaper readers * * * by fairness, accuracy, and public-spirited service * * * assures Sun advertisers of the highest degree of responsiveness.

A chart appeared on Page 27 entitled—

"The Cumulative Percentage of all National Advertising in Chicago Newspapers Carried by The Sun".

Page 28

The Sun Held Second Place in Total Classified Advertising Linage from its First Month * * *

* * * an incredible accomplishment for a new newspaper in a highly competitive metropolitan field * * * and striking evidence of the buying vitality of The Sun's circulation.

Every classified advertisement is, in effect, a KEYED advertisement * * * a direct test of reader responsiveness. Classified advertisers buy sales results.

The Sun started with more classified advertising linage than any Chicago paper except The Tribune * * * and The Sun has held its position as Chicago's second classified medium by delivering results.

[fols. 1258-1259] *Page 29*

And so * * * with Grateful Appreciation to the Friends Who Made it Possible * * *

We Celebrate the Success of THE SUN's First Year

To the thousands of Chicagoans who helped to name The Sun * * * to the 100,000 who subscribed before publication * * * and to the hundreds of thousands of Chicago families who have adopted The Sun as a favorite newspaper. * * *

To the thousands of advertisers—national, local, amusement, and classified * * * and hundreds of advertising agencies * * * who had faith in The Sun as an advertising medium. * * *

Page 30

It is with mixed feelings of pride and gratitude that we watch the first year of The Sun come to a close.

Pride, in that this newspaper has in its short life been able to interest so many people.

And gratitude for all the support and encouragement The Sun has had—a sustained reception that we are sure no other city in the world could match.

It is a source of particular pleasure that so many advertisers in Chicago have confirmed our estimate of the kind of newspaper Chicago needed, and backed our effort to supply it. The public taste is usually varied, indiscriminate and often emotional, but the advertisers' selection is sophisticated, the result of reason and judgment. The evidence of value to the advertiser is convincing evidence of value to the community.

In conclusion, all we can do is offer our sincere assurance that The Sun will continue to merit more, with every coming year, the support that has been given to it in its first year.

Marshall Field, Silliman Evans.

[fol. 1260] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

MOTION FOR SUMMARY JUDGMENT—Filed May 25, 1943

To the Honorable the Judges of the District Court of the United States for the Southern District of New York:

The United States of America, plaintiff, by its attorneys, acting pursuant to Rule 56 of the Federal Rules of Civil Procedure, moves the court for a summary judgment in this case in favor of the plaintiff.

I

The plaintiff moves that such summary judgment adjudge, order and decree as follows:

1. That the defendants have been, and are, engaged in a combination and conspiracy in restraint of interstate trade and commerce in violation of the Act of July 2, 1890, entitled "An Act to Protect Trade and Commerce against Unlawful Restraints and Monopolies," as alleged in the complaint;

2. That the defendants have been, and are, engaged in a monopolization of a part of interstate trade and commerce, [fol. 1261] an attempt to monopolize the same and a combination and conspiracy to monopolize the same in violation of the said Act of July 2, 1890, as alleged in the complaint;

3. That the defendants and each of them, and each and all of their respective agents and employees, and all persons acting or claiming to act on behalf of them or any of them, be perpetually enjoined from further engaging in or carrying out said combination and conspiracy in restraint of interstate trade and commerce, said combination and conspiracy to monopolize a part of said interstate trade and commerce, said monopolization and attempt to monopolize, or from doing any act in furtherance thereof, or from engaging in any similar combination or conspiracy, monopolization or attempt to monopolize having the same general purpose and effect;

4. That each and every provision of the by-laws of The Associated Press which imposes any condition, limitation, or requirement upon admission to membership in The Associated Press is illegal, null, and void, and in violation of said Act of July 2, 1890, except provisions of said by-laws that require every member to be the sole owner of a newspaper, or require that every applicant for membership, before becoming a member file proof of such ownership and proof of the "field" in which his or its newspaper is published (i. e., morning, afternoon, Sunday and/or weekly), or that the applicant sign the membership roll of The Associated Press and assent in writing to its by-laws (other than the provisions of such by-laws adjudged to be illegal.);

[fol. 1263] 5. That each and every provision of the by-laws of The Associated Press which prohibits a member from

furnishing to anyone not a member of The Associated Press news which he or it is required by the by-laws to supply to The Associated Press is illegal, null, and void, and in violation of said Act of July 2, 1890;

6. That the defendants and each of them, and each and all of their respective agents and employees, and all persons acting or claiming to act on behalf of them or any of them, be perpetually enjoined from further carrying out any provision of the by-laws of The Associated Press adjudged to be illegal, and from making, becoming a party to, or carrying out any subsequent provision of such by-laws of like character, effect, or purpose;

7. That the acquisition by The Associated Press of the stock of Wide World Photos, Inc., is illegal, null and void, and in violation of Sections 1 and 2 of said Act of July 2, 1890, and of Section 7 of the Act of October 15, 1914, known as the Clayton Act, and that The Associated Press be required to divest itself of the stock and of all interest in Wide World Photos, Inc.;

8. That the existing agreement dated November 1, 1935, between The Associated Press and The Canadian Press be cancelled, and that the defendants and each of them, and each and all of their respective agents and employees, and all persons acting or claiming to act on behalf of them or any of them, be perpetually enjoined from entering into any agreement with The Canadian Press, or any other press association, under which The Associated Press agrees not to deliver its news reports to any other association, news- [fol. 1263] paper, or individual in any particular territory, area or region, or under which The Associated Press obtains the exclusive right to receive the news reports of any such association, newspaper, or individual;

9. That the plaintiff recover its taxable costs.

II

The plaintiff sets forth the following as the grounds for granting its motion for summary judgment:

1. The pleadings, admissions (both those made in response to plaintiff's requests for admissions and in the defendants' answers to plaintiff's interrogatories), deposi-

tions, and stipulation of the parties as to certain facts, which are now on file with the court, together with the affidavits filed in support of this motion, establish that there is no genuine issue as to any material fact and that the plaintiff is entitled as a matter of law to the judgment for which it moves herein.

2. The complaint, the truth of all the material allegations of which is now established of record as hereinafter set forth, states a cause of action warranting the granting of the relief prayed for therein. It sufficiently sets forth facts which constitute as a matter of law a combination and conspiracy of the defendants in restraint of interstate commerce in news, a monopolization of a part of such commerce, and an attempt and a conspiracy to monopolize the same, in violation of Sections 1 and 2 of the Act of July 2, 1890, known as the Sherman Antitrust Act, and also facts which constitute a violation of Section 7 of the Act of October 15, [fol. 1264] 1914, known as the Clayton Act.

The complaint alleges that 1,247 otherwise independent newspaper owners and publishers are now, and have been for many years, parties to a combination. This combination has achieved a dominant position in the field of gathering and distributing news and the members thereof have augmented and maintained the advantages accruing to them from such dominant position by concerted action to exclude the competitors of individual members of the combination. The combination has entered into exclusive dealing contracts with each regular member thereof. The dominant position of the combination has been further promoted by exclusive-dealing contracts between The Associated Press and certain foreign and domestic news gathering agencies, some of which contracts are still in full force and effect, and by the acquisition and absorption into the defendants' combination of competing domestic organizations servicing newspapers. All of this news has been pooled for the exclusive use of the members of the combination.

The complaint alleges that the defendants have agreed to exchange exclusively among themselves all reports of local news of spontaneous origin gathered by the staffs of their individual newspapers. This constitutes an agreement on the part of the 1,235 regular newspaper members to refuse to deal with nonmembers in the exchange, sale or other disposition of reports of local news events. The com-

plaint also sets forth that the defendants have, by direct [fol. 1265] agreement and by concerted action, denied to competitors of existing members the benefits of participating in the system of mutual collection, distribution, and exchange of news carried on by the defendants through their common agent, The Associated Press, and that the news service thus withheld from competitors of the individual members is superior to any other news service and is, in many important respects, of unique character and value. The complaint therefore sufficiently alleges a combination to monopolize interstate commerce in news and a combination to impose restraints of trade by boycott which are *per se* unreasonable and in violation of the provisions of the antitrust laws.

3. The pleadings, admissions (both those made in response to plaintiff's requests for admissions and in the defendants' answers to interrogatories), depositions, and stipulation of the parties as to certain facts, which are now on file with the court, together with the affidavits filed in support of this motion, establish the substantial truth of every material allegation of fact contained in the complaint. Most of the material allegations of the complaint were admitted by the answers. The denials contained in the answers of the defendants have, by later admissions or proof, been shown to be without foundation or to be denials of immaterial characterizations or conclusions of the pleader. There remains no genuine issue between the parties as to any material fact.

4. Basic facts, now established by the proof, are, in summary, as follows:

[fol. 1266] The Restraints Result from the Concerted Action of Independent Newspaper Enterprises

It stands admitted on the pleadings that the defendants, in addition to The Associated Press and its directors, are 1,247 independent newspaper publishing enterprises which "have combined in and with The Associated Press,"[1] a membership corporation, for the concerted collection and distribution exclusively among themselves of the news

[1] Complaint par. 49; Answer AP par. 31; Answer Tribune par. 18.

of the world in interstate commerce and that The Associated Press acts as the common "instrumentality" or "agency" of the other defendants.[2] The Associated Press is engaged in the business of collecting and distributing news, newspictures, and news features in interstate and foreign commerce. The Associated Press has proclaimed that its news appears in a "select and exclusive group of newspapers which are members of the association."[3]

Access to the Services of One or More of the Three Major News Agencies Is Practically Essential to Newspapers

There are only three agencies which collect and distribute to more than two daily newspapers in the United States comprehensive daily reports of the news of the world, The Associated Press, United Press Associations, and Inter-[fol. 1267] national News Service. Access to the news reports of one or more of these three agencies is essential to the successful conduct of any substantial newspaper serving the general reading public, and the defendants in their answer state that "local newspapers in small communities must place greater reliance upon a news agency for adequate news coverage" than large metropolitan newspapers.[4] The defendants, in their own words, admit that "it is practically impossible for any one [newspaper] alone to establish or maintain the organization requisite for collecting all of the news of the world, or any substantial part thereof; that aside from the administrative and organization difficulties thereof, the financial cost is so great that no single newspaper acting alone could sustain it"; and that the defendants' "service, or a similar service of world-wide collection of news is essential to the conducting of modern daily newspapers."[5]

In 1942 there were in the United States approximately 1,787 English-language daily newspapers of general circulation. Of these newspapers, about 1,703, with a total

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[2] Complaint par. 49; Answer AP pars. 14, 31; Answer Tribune par. 18.

[3] Complaint par. 55; admitted by defendants, Answers; Defendants' Responses to Requests for Admissions Nos. 25-c and 25-d, Ex. No. 3, served January 6, 1943.

[4] Answer AP par. 15.

[5] Answers AP to Interrogatories Nos. 87 and 88.

daily average circulation of over 43,000,000, received the news reports of one or more of the three named agencies, whereas the newspapers not receiving the reports of any of the three agencies numbered 84 and had a total daily average 1941 circulation of only about 220,000. In this latter category were only 7 morning newspapers with a total circulation of 30,839.

[fol. 1268] In 1942, as compared with the 1,190 English-language daily newspapers published in the United States which were members of The Associated Press, there were 817 English-language dailies which subscribed to the news services of United Press Associations and 261 which subscribed to the news services of International News Service. Most of the larger newspapers, as well as many smaller ones, find it desirable to, and do, subscribe to the news services of more than one of the said three news agencies. The members of The Associated Press may, and many of them do, subscribe also to the services of United Press Associations and International News Service. For example, at least 348 members of The Associated Press also subscribed to the services of United Press Associations, and at least 164 members of The Associated Press also subscribed to the services of International News Service.

Access to the News Services of the Associated Press Is Particularly Important to Newspapers

Upon the pleadings it stands admitted that there is a "material difference" [6] between the service of The Associated Press and that of the other news agencies, and that The Associated Press "exceeds its competitors in expenditures for collecting and transmitting news, in the length of news reports it furnishes, in physical facilities, in size of staff, in number and geographical distribution of news bureaus" and "in number and geographical distribution of newspapers supplying it with news of their localities." [7] Com-
[fol. 1269] parative statistics and data are now on file with the court, or are filed herewith, showing in detail the predominant position of The Associated Press as regards size, resources, clientele, expenditures for news, volume of news reports, personnel, facilities, functions and performance.

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[6] Answer AP par. 28.

[7] Complaint par. 66; admitted by defendants' Answers.

Figures compiled by The Associated Press comparing, for a two and one-half year period, from May 1940 to December 1942, inclusive, its news reports with the news reports of United Press Associations of the same events, from the standpoint of which reports were earliest in time, show that The Associated Press was ahead of United Press Associations, or secured a "beat," on 72% of the reports. For the year May 1940-April 1941, inclusive, this survey "showed that AP was ahead on 82 percent of *all* important news events."[8]

It further stands admitted on the pleadings that The Associated Press ranks first among the three named news agencies "in public reputation and esteem"; that the character of the organization as a membership corporation is an invaluable guarantee that the news which it furnishes will be presented without any political or sectional bias, and that it has the advantage of the good will resulting from the fact that in the mind of the general public the name "Associated Press" has long been regarded as synonymous with the highest standards of accurate, nonpartisan, and comprehensive news-reporting.[9]

[fol. 1270] Access to the News Services of The Associated Press Is Particularly Important to Morning Newspapers

In the business of news collection there is a sharp distinction between the fields occupied by morning and afternoon newspapers. The leadership of The Associated Press is particularly pronounced in the field of morning newspapers. In 1942, there were 108 exclusively morning, English-language newspapers in the United States which had an average daily circulation of over 25,000 (and two specialized daily morning papers with circulations between 25,000 and 50,000). Of the 108, every one, except The Chicago Sun, received the news reports of The Associated Press. The aggregate daily average circulation of the morning papers receiving Associated Press reports was nearly 16,000,000, while the aggregate daily average circulation of morning papers, including the morning editions of round-the-clock papers (i. e., papers publishing both morning and evening editions) not receiving Associated Press reports was under

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[8] Answers AP to Interrogatories Nos. 77, 78 and 85.

[9] Complaint par. 66; admitted by defendants' Answers.

900,000, of which 277,025 represented the circulation of The Chicago Sun and 124,400 the circulation of the morning editions of The Washington Times-Herald, both of which were denied the services of The Associated Press in 1942. In the field of daily evening newspapers, also, The Associated Press and its members occupy a predominant position.

For news agencies and other newspapers, newspapers themselves with their large reporting staffs are the principal sources of domestic news apart from news emanating [fol. 1271] from the national capital. All of the local news of spontaneous origin gathered by each of 1,235 newspaper defendants in their respective localities (these regular members are located in every State of the United States) must be contributed by them exclusively to their own pool of news. "The staffs of more than 1,200 newspapers in the United States gather local news of their vicinages respecting unanticipated noteworthy events occurring therein, such as airplane accidents, train wrecks, tornadoes, or mine disasters, which news is furnished in each instance to the newspaper itself and, in turn, is made available to The Associated Press."[10] The effect of this arrangement is to "make each member paper reporter also a reporter for The Associated Press."[11] The total number of such reporters is large—the 18 AP newspapers specifically named defendants had, in August 1942, 755 full time reporters (an average of 42 each) and 2,349 string reporters (an average of 130 each).

Neither United Press Associations nor International News Service supplies to newspapers of the United States a news-reporting service of domestic news events comparable in speed, scope, and thoroughness of coverage to that supplied by The Associated Press to each member newspaper. The two former news agencies must gather such news by their own staffs, or by part-time string reporters, none of whom may be in the employ of any Associated Press newspaper, or obtain it from the fewer, [fol. 1272] and in the main smaller, newspapers which are not members of the defendants' combination. In obtaining domestic news for morning newspaper requirements, for ex-

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[10] Response AP to Request for Admissions No. 30, served Jan. 6, 1943.

[11] Complaint par. 71; Answer AP par. 45; Answer Tribune par. 22.

ample, these other news agencies are forced to rely, in addition to their own facilities, upon not over 70 non-AP newspapers (with about 900,000 circulation), whereas The Associated Press, in addition to a much larger staff and facilities of its own, commands exclusively the output of local news gathered by the staffs of 302 AP morning newspapers (with 15,780,000 circulation) located throughout the United States. The Associated Press in its answer to the complaint stresses the fact that a newspaper which is a member of The Associated Press has an important "competitive advantage" over one denied such membership.[12]

Access to the news picture service of The Associated Press is particularly important to newspapers

"In recent years picture news has become a major competitive factor in the newspaper business."[13] The Associated Press renders a preeminent news picture service but nonmembers of the Association are barred from receiving it. The Associated Press spent in the year 1941 $1,680,447.60 to render what its General Manager described as "the world's greatest news photo service."[14] An AP member may, if it chooses, receive an average of 300 news pictures each week by Wirephoto, "an exclusive Asso- [fol. 1273] ciated Press service" which defendants claim "proved to be the most revolutionary step in American journalism since the invention of the telegraph."[15] By Wirephoto "news photos, maps, charts and other illustrations * * * are sent to member papers with telegraphic speed over a circuit 16,000 miles long."[15] The Associated Press claims that it has the "only network of news photo wire transmission in the world regularly maintained and

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[12] Answer AP pars. 13, 16.

[13] Complaint par. 73; Answer AP par. 46; Answer Tribune par. 27.

[14] Complaint par. 73; Answer AP par. 46; Answer Tribune par. 27.

[15] Complaint par. 73; Answer AP par. 46; Answer Tribune par. 27; Defendants' responses to Requests for Admissions 25-c and 25-d, Ex. 3, served January 6, 1943.

transcontinental in character."[16] Other picture agencies transmitting pictures to newspapers by wire must do so over ordinary telephone circuits leased from the utilities. "The Associated Press utilizes one circuit * * * and the entire circuit operates as a unit and not as separate wires."[17] It is available 24 hours each day. "There are about 50 sending stations available to transmit pictures, a number of portable sending machines, also, being provided at strategic points, whence they can be rushed to any location."[18] "The advantages which, in the opinion of The Associated Press, the wire photo system utilized by it has over the use of ordinary telephone wires and private line telephone wires for picture transmission are that the wire photo system results in a higher quality fidelity of the delivered picture, in the steadier constancy of the electrical impulse and frequency of the circuits used [fol. 1274] and in the general technical excellence of the equipment and facilities employed by the wire photo system."[19] The Board of Directors has declared that The Associated Press picture service "maintained superiority in speed of delivery and quality of photographs on every major event during the year"[20] 1937; and the General Manager has asserted that "with twenty-four hour news photo wire equipment at hand, it is not likely that any competitor can compete in any serious way with The Associated Press News Photo Service."[21]

Defendants, by boycott, exclude from the services of The Associated Press newspapers which compete with individual members of the combination

The by-laws of The Associated Press constitute a contract between the defendants. By one term of this contract

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[16] Complaint par. 73; Answer AP par. 46; Answer Tribune par. 27.

[17] Answer AP to Interrogatory No. 124.

[18] Response AP to Request for Admissions No. 2-f, Ex. 2-C, served April 26, 1943.

[19] Answer AP to Interrogatory No. 125.

[20] Complaint par. 73; Answer AP par. 46; Answer Tribune par. 27.

[21] Complaint par. 73; Answer AP par. 46; Answer Tribune par. 27.

each member of The Associated Press is obligated, as previously stated, to furnish, exclusively to The Associated Press and the other defendants, the local news of spontaneous origin in its territory and is restrained from furnishing such news to any other news agency or to any newspaper which is not a member of The Associated Press. By another term of this contract, in force from 1900 to 1941, inclusive, no newspaper, except by purchasing an existing membership in The Associated Press, could become a member of The Associated Press over the objection of [fol. 1275] a competing newspaper already a member unless it could obtain a favorable four-fifths vote of the members of The Associated Press. The right of a competing member newspaper to object was called "the right of protest," and, under the by-laws, the member was deemed to have exercised its right of protest unless it affirmatively waived such right.

In 1942 this term of the contract was amended to require a favorable majority vote of the members of The Associated Press for the admission of such an applicant, and the payment by the applicant of a large sum of money, not to The Associated Press, but to his competitors. For example, according to the requirement of the defendants in effect from April 1942 to February 1943 the owner of a morning newspaper in New York City, in order to be admitted to Associated Press services, even if he could obtain a favorable vote, would have had to pay his competitor newspapers $1,432,142.73. Under the present requirement, according to an amendment to the by-laws in February 1943, such newspaper owner would have to pay his competitor newspapers $824,333.92. In addition to paying his competitors such sums, the applicant would have to relinquish in favor of his competitors any exclusive right he might have to any news or picture service, without his competitors being under a similar obligation to him.

The directors and members of The Associated Press have consistently pursued the general policy and practice of excluding newspapers from membership in The Associated Press for the reason that they offered, or might offer, business competition to existing members. "We have sought [fol. 1276] to increase the membership in fields where the

recruiting did not infringe upon the home territories of existing members."[22]

During the period 1900-1941, inclusive, a total of 121 applications for the services of The Associated Press were voted on by the members. Because competitors of the applicants already in The Associated Press protested against them, all but six of these applications were rejected. Of the newspapers applying, 38 were later admitted, either by the consent of their competitors, or by purchasing existing memberships, but in the case of the former, an average of nearly seven years elapsed between the first date of application and the date of final election, and in the case of the latter an average of nearly 20 years elapsed between the first date of application and the date of acquiring membership. It stands admitted on the pleadings that in each of the six instances in which the applicant obtained the necessary affirmative four-fifths vote of the members, no existing member having a right of protest against the application published a newspaper in the city where the applicant's newspaper was published. In each such case, the city was comparatively small and the directors of The Associated Press had concluded that admission to membership would not result in any substantial injury to the protecting member and had recommended election. "In no case has it [Board of Directors of The Associated Press] elected or recommended election, when it felt that real [fol. 1277] injury was done a present member. In no case * * * has an election by the Board or by the membership * * * resulted in any real injury to a member."[23] During the period 1901-1932 at least 157 newspapers were denied AP services by the Board of Directors without being passed upon by the members of The Associated Press. Most of them have never obtained such services. The record shows that during the period 1933-1942 at least 20 newspapers were excluded by the Directors after their respective competitors had objected to their admission. This policy of excluding competitors of existing members

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[22] Responses AP to Requests for Admissions Nos. 36-a and 36-b, served January 6, 1943.

[23] Responses AP to Requests for Admissions Nos. 34-a and 34-b, Ex. No. 23, served January 6, 1943.

has been well established, and is well understood by newspaper owners.

Three applications for membership in The Associated Press were voted upon at the April 1942 annual meeting of the members and each failed to receive the then required majority vote. In the case of The Chicago Sun, its competitor, The Chicago Daily Tribune, the circulation of which had declined as a result of the publication of The Chicago Sun, conducted a vigorous campaign against the application of The Chicago Sun. It is admitted that The Chicago Daily Tribune solicited votes against this applicant by correspondence and by personal interviews conducted by 11 of its employees with at least 577 members of The Associated Press; that it obtained 194 proxies from members who did not attend the annual meeting; and that it voted these 194 proxies against the application of [Fol. 1278] The Chicago Sun. An editor of the Tribune Company led the fight against The Chicago Sun on the floor of the meeting, opposing its election because of the competitive effect which The Chicago Sun, as a member of The Associated Press, would have on The Chicago Daily Tribune. The defendants, Tribune Company, and Robert Rutherford McCormick, have admitted that they "were primarily concerned in saving for the Tribune Company its exclusive right to Associated Press news service * * *."[24] The Illinois Printing and Publishing Company, the newspaper member having the only other AP morning membership in Chicago, that of The Chicago Herald-American, also solicited and voted by proxy 81 votes against The Chicago Sun. In a letter requesting such proxies it stated,

> The right of protest has been in existence and has been provided in the By-Laws of The Associated Press ever since its inception, for the obvious purpose of protecting valuable property rights. * * *
>
> You as a member of The Associated Press enjoy in your community rights of protest. We believe that you consider such rights of great value. Were Mr. Field successful in his effort to override our protests, the asset value of your membership would be immediately affected and your own property rights might be similarly imperiled at any time. What we seek is

[24] Answer Tribune to Interrogatory No. 5.

to preserve the right and value which are inherent in all Associated Press memberships and in so doing we [fol. 1279] are protecting your rights as well as our own.[25]

Two applications by The Washington Times-Herald were opposed on the floor of the meeting by representatives of its competitors, The Washington Post and The Washington Evening Star, and it failed of election.

The defendants' concerted action fosters local newspaper monopolies for individual members of the combination

The restraints imposed by the policy consistently pursued by the defendants of excluding from membership in The Associated Press competitors of existing members creates a condition under which like barriers against competitors may be erected by those receiving the news service of the other two general news agencies. Defendants' restraints thus have further promoted local newspaper monopolies.

Newspapers excluded from access to the services of The Associated Press are not always free to obtain the less comprehensive services of United Press Associations or International News Service. In either the evening or morning field, or both, in 144 cities located in 25 states of the United States a new subscriber may not receive the news services of United Press Associations unless it pays its competitor already subscribing to UP services a substantial amount of money. In 12 cities International News Service has in force exclusive contracts with newspapers [fol. 1280] for some field of publication, and in 62 cities a new subscriber for either its morning or evening reports, or both, must likewise pay tribute to existing INS subscribers in order to obtain its services.

In a large number of cities in the United States effective monopolization of the business of publishing a daily newspaper has been obtained by AP members, (a) by holding membership in The Associated Press, thereby barring a competitor from obtaining its service, and (b) by entering into contracts with both the United Press Associations and International News Service under which any new subscriber

[25] Affidavit of McNicholas.

to their services would have to pay tribute to the AP member subscribing to the other two services. This situation prevails in 17 cities in which only one newspaper is published and in 9 cities in which all newspapers published therein are under common control. In addition, there are 18 cities in which the only morning or the only evening newspaper published therein can, by reason of such membership and such contracts, effectively prevent a competitor in the same field from obtaining the services of any of the three major news agencies.

The effect of the restraints imposed by the defendants' combination, in conjunction with the restrictive provisions of agreements made by the other two major news agencies with their subscribers, is illustrated by the situation which confronted The Chicago Sun with reference to its essential requirement of news pictures. The three major agencies regularly supplying newspapers with daily photographs [fol. 1281] of news events throughout the world are The Associated Press, Acme News Pictures, Inc., and International News Photos. Prior to 1941 there was a fourth newspicture agency, World Wide Photos, Inc., a subsidiary of the New York Times Company. All of the stock of this competitor was acquired by The Associated Press on July 25, 1941, and shortly thereafter the newspicture service of World Wide Photos, Inc., furnished to newspapers in the United States which were not members of The Associated Press was discontinued. The Chicago Sun was unable to obtain membership in The Associated Press; it was unable to obtain pictures from Acme News Pictures, Inc., because that organization had entered into a contract with The Chicago Daily Tribune barring it from serving any other morning newspaper in Chicago; it was unable to obtain pictures from International News Photo because that organization in a number of cities of the United States, including Chicago, furnishes its pictures exclusively to the Hearst newspapers.

Defendants do not choose their associates in The Associated Press

While the defendants can, and do, block competing newspapers which apply for membership in The Associated Press by concertedly voting down their applications, and by opposing other barriers to their admission, they have,

by reason of other provisions of the by-laws of The Associated Press, no complete power to choose their associates. Any newspaper publisher, no matter how low its standards [fol. 1282] may be or how objectionable it may be to The Associated Press members, can buy its way into the organization if it is able and willing to pay the price and can find a member who is willing to sell its membership. In such event, The Associated Press and its members are powerless to exclude the purchaser. Many existing members of The Associated Press have obtained access to its services in precisely this way.

The extent of the restraints imposed by defendants is evidenced by the large amounts paid to obtain memberships in The Associated Press

Many defendant newspaper publishers have placed valuations in terms of large sums of money upon the exclusive right attaching to their membership in this combination. "In metropolitan centers Associated Press memberships were often carried on the books of member newspapers at values upwards of a million dollars; and in the early twenties, transfers of such memberships were made upon considerations well into the hundreds of thousands." [26] For example, the owner of The Chicago Herald-American paid $1,300,000 for the morning membership in The Associated Press. Such valuations have resulted from the power which a member of The Associated Press has to exclude a competing applicant by invoking the concerted action of its fellow defendants.

[fol. 1283] The personnel of the board of directors of The Associated Press has been virtually static

The proof now on file with the court establishes that the general policy of The Associated Press is controlled by its Board of Directors, that the Board is substantially self-perpetuating, that the election of the Board is controlled by the bondholder vote, and that the majority bondholder vote rests in the hands of less than 100 of the larger newspaper members.

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[26] Response AP to Request for Admissions No. 36-c, Ex. No. 24, served January 6, 1943.

The defendants have entered into exclusive agreements with foreign news agencies

The proof now on file with the court, or filed herewith, also establishes that during a period of over 30 years The Associated Press was a party to agreements with foreign news agencies under which, in plain contravention of the Federal antitrust laws, it barred itself from delivering its news to newspapers or other persons in major areas of the world, in exchange for agreement by these foreign agencies to furnish their news to The Associated Press exclusively and not to furnish their news to newspapers or other news agencies in the United States. Such a contract is still in full force and effect between The Associated Press and The Canadian Press, an association of 87 daily newspapers out of a total of only 94 daily newspapers published in the Dominion of Canada.

5. The Associated Press supplies its members "with a complete feature budget, comprising news feature stories with and without illustrations, news cartoons, comic strips, and a full budget of de[illegible]rtmental features,"[27] and the [fol. 1284] Associated Press claims that this service is "The only feature service with full facilities for coverage—pictures, stories, columns, background—in every state and in foreign countries * * * The only complete feature service available in whole or in part."[28] It also claims that its behind-the-news feature service "is recognized widely as the best in its field."[29] Defendants' combination denies these services to newspapers competing with existing AP members, but the plaintiff does not contend that the restraints imposed by the denial of these services, as distinguished from AP news and news-picture services, are seriously injurious to competitors. The feature service of the Associated Press is one of its relatively minor undertakings. Out of a total of $11,305,577.84 which it spent in 1942 in servicing newspapers, the Associated Press spent

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[27] Complaint, par. 74; AP Answer, par. 47; Answer Tribune, par. 28.

[28] Defendants' Responses to Request for Admission No. 2-e, filed April 28, 1943.

[29] Defendants' Responses to Request for Admissions No. 2-a, Ex. 2-A.

only $527,927 on its feature department. Moreover, there are a number of other feature services in the United States (such as King Features Syndicate, Inc., NEA Service, Inc., United Features Syndicate, Inc., and Chicago Tribune-New York Daily News Syndicate, Inc.), more or less available to newspapers denied AP membership, the feature services of which are as good or better as that of the Associated Press.

[fol. 1285] 6. The defendants, forced to admit the conduct described above, attempt to justify it. The contentions advanced as defenses in the answers of the defendants are three in number: (a) the claim that the granting of the relief prayed in the complaint would abridge the freedom of the press; (b) the claim that the granting of such relief would deprive members of The Associated Press of their "incentive" (i. e., their "competitive advantage" over newspapers concertedly excluded from membership) to be loyal to the combination, which "loyalty" would thereupon be replaced by "arms length bargaining" between The Associated Press and the newspapers receiving its service, thereby making the business of The Associated Press "commercial" rather than "mutual" in character;[30] and (c) the claim that, if the relief sought by the plaintiff should be granted, newspapers now denied access to service of The Associated Press would substitute such service for the services of other news agencies, to such an extent that The Associated Press "might well become the only news agency furnishing complete news coverage."[31]

None of these contentions give rise to any genuine issue as to any material fact. The first presents a pure question of law. The second and third contentions, which are contradictory, rest on purely speculative conjecture as to future developments. If they were susceptible of proof they would be irrelevant and would not constitute legal defenses.

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[30] Answer AP par. 13.

[31] Answer AP par. 18.

[fols. 1286-1288] III

In support of this motion there are filed herewith the affidavits of the following persons:

Harry B. Baker.
Brodie D. Barnett.
Thomas J. Barry.
Warren Brown.
Thomas A. Daffron, Jr.
Marshall Field.
Ernest von Hartz.
Guy R. Hill.
Alfred McClung Lee (3).
Virginia M. Marino.
N. S. Macneish.
Sid Mautner.
J. A. McNeil.
Thomas M. McNicholas.
Herbert S. Moore.
R. E. Moore.
John J. Padulo.
Harold L. Schilz.
Otto M. Smucker.
Manfred K. Toeppan.
Edwin Moss Williams (2).

JOHN HENRY LEWIN,
CHARLES H. WESTON,
CHARLES B. RUGG,
Special Assistants to the Attorney General,
Attorneys for the Plaintiff.

[fols. 1289-1290] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

Affidavits Filed in Support of Plaintiff's Motion for Summary Judgment—Filed May 25, 1943

AFFIDAVIT OF HENRY B. BAKER

STATE OF ILLINOIS,
County of Cook, ss:

Harry B. Baker, being duly sworn, says:

I was the general manager of The Pacific and Atlantic Photos, a subsidiary of The Chicago Tribune and The New York Daily News furnishing news pictures, from 1923 until December 31, 1930, when Pacific and Atlantic Photos was merged with Acme News Pictures (herein called "Acme"). I remained with the merged organization for about one month. I then joined King Features Syndicate, and in 1936 became editor of the International News Photos (herein called "INP"), a department of King Features

Syndicate. In April 1940 I became photograph manager of PM, a New York afternoon newspaper, and in January 1942 came to Chicago to act as manager of The Chicago Sun Syndicate, a position which I now hold.

During my work in connection with news pictures, I became well acquainted with the news picture field, and knew about the operations of the major photo-news syndicates—Acme, INP and Associated Press Wire Photo (herein called AP) and other photographic services. Specifically, I knew about the operations of Acme and INP.

[fol. 1291] Prior to August 1941 there was a fourth major news picture syndicate known as Wide World Photos, Inc., a subsidiary of The New York Times. On or about July 25, 1941, the stock of Wide World was sold by The Times to AP. Prior to the sale, these four news picture services were known as the "big four."

AP was, and remains, the most comprehensive of these photographic news services. It is the only one with 24-hour leased wire service country-wide. At the time I was with them and as I am informed today, Acme had no leased wires in the region generally west and southwest of Chicago. During the period that I was connected with INP—and as I am informed today—it had a leased wire east of Chicago, but in general, none west of Chicago, except that during my connection with INP, there were two short periods each day in which the eastern circuit was connected with San Francisco and Los Angeles on a time-wire basis.

AP service—considered from the picture collection point of view—was more comprehensive than that of the other two services: AP had more bureaus; AP received photographs from correspondents of AP member newspapers who were, under the bylaws of AP, precluded from furnishing photographs to Acme and INP or to any newspaper. In the matter of quality of transmission, the general understanding in the news photo world was that AP leased wires were better geared to the furnishing of news photographs than the other services for the following reasons:

The AP wire photo circuit was a result of years of experimentation on the part of the Bell Laboratories. The American Telephone and Telegraph introduced this circuit in 1925. It was a common carrier for seven or eight years, during which time all picture services, including the ones with which I was affiliated, used it for transmission of news pictures. During this period The Telephone Company en-

gineers improved the quality of the wire and the process of transmission. The American Telephone and Telegraph wires were leased and the process acquired by AP around 1934 when they established their wire photo circuit.

[fol. 1292] Acme and INP were required to use ordinary talking circuits in the transmission of pictures, that is to say, the same telephone wire that would be used by any person making a long distance telephone call. These circuits were uneven and were subject to operator interruptions which interfered with the quality of the pictures.

The difference in the circuits was due to the fact that the AP circuit was finely balanced, and stepped-up or amplified every twenty-five miles, as compared with fifty miles or more on ordinary talking circuits. The result of this is to create a greater stability in the flow of current over the AP wires, with the result that pictures transmitted over the AP wire are less likely to have variations in intensity and are more uniform.

After the taking over of these circuits by the AP, I inquired of the American Telephone and Telegraph Co. whether INP could have a similar circuit or circuits made available to it, and was advised by the sales representative of the American Telephone & Telegraph that there were no other similar circuits available. After the acquisition of the leased wires by AP it was no longer possible for the other agencies or the general public to use these wires for the transmission of wire photographs.

Early in 1942 I was informed of the existence of a news photo pool of war pictures of which the members were INP, Acme, AP and Life Magazine. On March 13, 1942, I telephoned Mr. Robert Dorman, manager of Acme, regarding the photo pool. He told me that if The Chicago Sun wished to join, we would be required to place immediately four photographers at the disposal of the pool, and he estimated that ultimately each participating member of the pool would have around twenty photographers in the field. Pool photographers, he said, were then operating in Australia, Africa, Ireland, Panama and with the fleet in the Pacific, and a man assigned to the pool was subject to the orders of the Commander of the ship or military unit to which he is assigned by the War or Navy Department. If we desired to join, Mr. Dorman informed me, it would be necessary for us to maintain printing plants at Washington, New York, San

[fol. 1293] Francisco and Los Angeles, or make suitable arrangements for the prompt handling of material at these points. The cost, he estimated, would average about $40 per week per man, plus salary. In addition, he told me that Acme insured each man for $10,000 at the approximate cost of $600 per year, and they also supplied each man with uniforms at a cost of about $200 per man, plus his photographic equipment.

(S.) Harry B. Baker.

Sworn to before me this 7th day of May 1943.
Ruth Herman, *Notary Public.* (Seal.)

My Commission Expires Jan. 10, 1946.

AFFIDAVIT OF BRODIE D. BARNETT

STATE OF NEW YORK,
County of New York, ss:

BRODIE D. BARNETT, being duly sworn, deposes and says that he is vice-president of The Western Union Telegraph Company, a New York corporation; that he is in charge of said corporation's Commercial Department; that he has caused an examination to be made of the books and records of said Commercial Department; that he has personal knowledge that in the years 1941 and 1942 neither United Press Associations nor International News Service leased any wire circuits from said corporation and that the total charges made by said corporation to The Associated Press and Press Association, Inc., for leased wire circuits (other than circuits used for transmission of pictures) were as follows for the years 1941 and 1942:

	1941	1942
The Associated Press	$698,239.84	$627,439.58
Press Association, Inc.		1,159.29

(S.) B. D. Barnett.

Subscribed and sworn to before me this day of May 1943.
(S.) Joseph A. Whitton, *Notary Public.* (Seal.)

Notary Public, Queens County, Queens Co. Clk.'s No. 2557, Reg. No. 1445, N. Y. Co. Clk.'s No. 198, Reg. No. 4W108. Commission expires March 30, 1944

[fol. 1294] AFFIDAVIT OF THOMAS J. BARRY

STATE OF ILLINOIS,
County of Cook, ss:

THOMAS J. BARRY, being duly sworn, deposes, and says:

I have been in the newspaper or allied fields for approximately seventeen years. For seven and one-half years I was with The Chicago Herald and Examiner as reporter, rewrite man, and later as editor of the country editions. In 1934 I joined the faculty of the University of Notre Dame at South Bend, Indiana, as an instructor in journalism and as University Publicity Director. I left the University to become the Regional Editor of The Chicago Sun in October 1941, a position I held until April 1, 1943, since which date I have been Night City Editor of The Chicago Sun.

As Regional Editor I supervised the gathering and editing of all news concerning the basic circulation area of The Chicago Sun outside of the city of Chicago and immediate environs. This area includes roughly the four states of Illinois, Indiana, Michigan, Wisconsin and sections of Iowa, Missouri, Kentucky, Ohio, and Minnesota.

In the region under my jurisdiction most of the papers are Associated Press (AP) papers. Practically all of the morning papers are AP member newspapers. This has certain results:

(a) The news-gathering facilities of the AP member newspapers are available to these members but not to the United Press Associations (UP) or to UP subscribers unless those subscribers have also AP memberships.

(b) In a region where UP services few morning newspapers, its coverage of night events is not so comprehensive as that of AP.

(c) Persons on the staff of AP member newspapers state that they are not authorized to act as correspondents for papers that are not members of AP.

In Illinois there are seven morning newspapers. Each of these is a member of The Associated Press. Except for The Chicago Sun, no newspaper in Illinois, not an AP member, has a circulation in excess of 11,000.

[fol. 1295] In Illinois the state wire service of UP is a day wire service functioning only until three o'clock in the after-

noon. Accordingly, it became necessary to make special arrangements with UP to provide The Sun with state capital coverage between the hours of three o'clock and nine o'clock. After three o'clock P. M., any additional copy supplied to us is sent "overhead" by telegraph or telephone, the expense of which is borne by The Sun. By "overhead" is meant the sending of news reports by telegraph or telephone as a regular message or dispatch.

In Indiana, UP has a certain number of morning newspaper subscribers, and their day wire is supplemented by a night service available to The Chicago Sun. In Indiana, however, out of 72 towns with daily newspapers, 25 are in the AP exclusive category. This includes many of the larger cities of the state, such as South Bend, Gary, Fort Wayne, Vincennes, Terre Haute and Evansville. Each morning newspaper in any city with a population in excess of 10,000 has AP membership except the Indianapolis Commercial, a publication with a circulation of less than 1,500 which is serviced by INS and the Wabash Times Star which has a circulation of 2,220.

In Wisconsin, 27 out of the 40 daily papers are Associated Press members. The two morning newspapers in Wisconsin—at Eau Claire and Milwaukee—are AP members. In Wisconsin, UP operates a day wire service only, which terminates at 3:00 P. M. After that time, The Chicago Sun depends upon its own correspondents.

In Michigan, out of 55 daily newspapers, 36 are members of AP. The five morning newspapers in Michigan are all members of the Associated Press.

In order to render The Sun's news reports more complete, we established contacts with newspapers and newspapermen in some 300 cities and towns in our basic circulation area. The restrictions placed by AP on correspondent service by AP members and their staffs for non-member papers, have made it difficult for The Sun to secure proper correspondents. Frequently, persons who seemed qualified declined because of AP restrictions. One case in point occurred at [fol. 1296] Quincy, Illinois. There a man with a wide knowledge of his territory had been recommended to me. I received a letter from him dated November 18, 1941, a copy of which is attached as Exhibit 1, stating that he would be glad to serve as correspondent for The Chicago Sun if the "difficulties" created by the AP rules against giving news

coverages to any but AP newspapers could be ironed out.

On several occasions items furnished by AP to the Chicago Tribune were not furnished by UP prior to publication in the Tribune. These items would not have been procurable by us in time had it not been for our employment of numerous correspondents throughout the basic circulation area.

Thomas J. Barry.

Sworn to before me, this 7th day of May, 1943.

Ruth Herman, *Notary Public.* (Seal.)

My Comm. Exp. Jan. 10, 1946.

EXHIBIT No. 1

Quincy Newspapers, Inc.,
Quincy, Ill., Nov. 18, 1941.

Mr. Thomas J. Barry, Regional Editor, The New Chicago Morning Newspaper, 400 West Madison Street, Chicago, Ill.

DEAR MR. BARRY: Your letter offering me the position as correspondent for your new newspaper in the Quincy territory appeals to me very much. However, you know that The Quincy Herald-Whig is an Associated Press newspaper and I am wondering how that would affect my taking up the work. If you have an Associated Press wire service, then that would solve the matter. Perhaps you can enlighten me concerning my handling your news from Quincy in case you do not have Associated Press connections.

I am bringing up this question because just this morning we received a notice from the Associated Press warning against giving news coverage to any but A. P. newspapers.

If the Associated Press matter is cleared up I will be pleased to accept your ofier of the position.

[fol. 1297] I am state editor of The Quincy Herald-Whig, and I am in close touch with a large territory, including the city of Quincy, and believe I can give you good coverage.

In addition to coverage from Quincy and Adams county I can offer coverage from Hancock, Pike and Brown counties, and if necessary from Schuyler county. Of course, you understand that coverage of these outside counties might not be quite as good as from a person who lives within the cour-

ties. I have correspondents in every town of the counties I have named, but I cover Rushville, only, in Schuyler county. I might not be able to supply all news pictures you may want from counties outside of Adams county, but if not I can usually direct you to some person who could supply the pictures.

You asked me concerning the operation of a news camera. Before we secured a full time news cameraman for The Herald-Whig I took most of our pictures. I use a 5¼ by 7½ Graflex, and still use it from time to time in news work when the photographer is not available.

I can be reached during the day at The Herald-Whig office, 'phone 510, and after hours (after 3:30 o'clock) at my home, 'phone 4829-J. We do not keep the office open on Sundays. That day would be a weak spot for coverage on Sunday outside of Quincy since I am not in direct touch with my correspondents on that day.

Enclosed with this letter are the names of important Quincy officials and people, together with Adams county officials. I am also sending you, in the same letter, important Carthage people and Hancock county officials. Pittsfield and Pike county and Mt. Sterling and Brown county officials can be forwarded to you if you desire them. With a little time I can also secure the officials and important persons from non-county seat and smaller towns of Adams, Hancock, Pike and Brown counties.

If we can iron out the A. P. difficulties and you wish me to act as your correspondent I will await your instructions, and details concerning what you want in the way of news.

I forgot to state that I do not develop my own pictures, but have them developed at a commercial house here. [fol. 1298] Considerable interest in the new newspaper is being shown in Quincy and I believe you will meet with immediate success in this territory.

Thanking you for your offer, I remain, Yours truly,

Fred J. Baldwin, *State Editor, The Quincy Herald-Whig.*

Affidavit of Warren Brown

State of Illinois,
County of Cook, ss.:

Warren Brown, being duly sworn, deposes and says:

I am and since prior to the commencement of the publication of the Chicago Sun on December 4, 1941, have been its sports editor. In that capacity I arrange for the obtaining and preparing for publication of news of happenings in the field of sports. In that connection I read the news service and other sports news reports.

I have been continuously in the newspaper business since 1916, and except for the period when I was engaged in World War I, continuously in the sports department of newspapers. In 1922, I became the sports editor of the Mail, a New York afternoon newspaper. I left the Mail to join the staff of the New York Journal, an afternoon newspaper with a membership in The Associated Press, herein called "AP", and with service contracts with the United Press, herein called "UP" and The International News Service, herein called "INS."

In 1923 I came to Chicago as sports editor of the Herald and Examiner, a morning and Sunday paper which had AP membership and in addition INS service. When this paper ceased publication in August 1939 I was transferred to the Herald-American, an afternoon newspaper with AP and INS service.

The field of sports occupies a special position in journalism. Sport pages are read beginning shortly after a child learns to read and the interest is kept throughout the life of newspaper readers. All classes in the community are interested in some phase of sports. The vitality of that interest is illustrated by the large crowds that show interest by attending the major sports events and by the betting on games, races, and contests. In the Sun there are large numbers of telephone calls and letters addressed to the [fol. 1299] newspaper, asking for information or seeking for greater coverage in certain kinds of sports, or invoking the assistance of the newspaper to settle disputes about sports events or personalities.

In order for a metropolitan newspaper to serve its community effectively it must report sports events in all parts of the country and the activities of the conspicuous person-

alities in the sports world with completeness and comprehensiveness.

In sports news, a great many of the major sports events—prize fights, basketball games, hockey, many of the major league baseball games, and the indoor track and field meets—occur at night. On Sundays, in season there are a great many afternoon professional football games. Complete news coverage of these events is of importance to morning papers. Frequently, the afternoon paper's part consists of a commentary on something that has been covered thoroughly by the morning papers.

The Chicago Sun is a morning paper. It is not an AP member. It obtains its major news servicing outside its own staff from UP. In sports news, the coverage by Associated Press, especially as to matters occurring at night, and Sundays, is far more comprehensive and faster than that of United Press. The Chicago Sun has had to go to considerable trouble and expense to supplement the United Press service in order to parallel as far as possible the Associated Press coverage. On the Chicago Sun I made special arrangements for fuller coverage in line scores of football box scores, in basketball and baseball and Sunday professional football games, and other items.

When as Sports Editor on papers other than the Sun I received the AP service, I could rely on coverage being furnished automatically as to many items. Since we have the UP service solely for the Chicago Sun, I have found it necessary in a good many cases to notify UP in advance to be on guard for news of the kind which the AP reported as a matter of routine.

In connection with the major league baseball games, the box scores and the "lead" (narrative comprising the essential facts of the game) are furnished by AP for both the day and night games. The arrangements suggested by UP would not have covered the night games. Since there were [fol. 1300] 126 night games in the 1942 season, exclusive of those in which our two Chicago teams were to be engaged, such an arrangement was not satisfactory, and I arranged to obtain the news of these games through correspondents who would report them directly from the ball parks by telegraph over Western Union.

In the case of minor league baseball scores, the AP furnished its members with these scores when the games were

completed. During the period while these leagues were in existence, the UP did not furnish the scores to the Sun until considerably later. In order to get the news more complete and earlier, I had the Sun arrange for installation of Western Union ticker service which supplied the Sun with news of minor league events. The minor league baseball news was of great importance to our readers for cities such as Madison, Sheboygan, Racine and Green Bay, Wisconsin, which are in our circulation area, were members of the Wisconsin State League, and the Madison, Wisconsin League, was a farm club training players for the Chicago Cubs.

To overcome the differences in service between AP and UP, I have supplemented UP service by making special arrangements. At times, I have arranged for special correspondents to report important sports events which were regularly carried by AP as part of its report service to members. At other times, I have made other special arrangements.

In some cases, where the particular news happening was not of the kind that would be known about in advance, it was impossible for that reason to make complete and effective special arrangements in time to get useable news reports.

In the following instances, among others, news items appeared in the Chicago Tribune, credited to AP. In none of these cases was a report of the news events furnished the Sun by UP, or, if furnished, it was not supplied by UP until after it had appeared in print in the Tribune. Where the Sun obtained these items in time for publication, it was due to the special arrangements which I made for the Sun at added expense:

1. December 8, 1941. Reports of the Washington-Philadelphia and Brooklyn-New York professional football games were furnished by AP to its members despite the fact that [fol. 1301] the Pearl Harbor news was coming in. The Chicago Sun had to make special arrangements to obtain the news.

2. The all-star game between the American and National Leagues is an important item for the American baseball fan. On January 21, 1943, the presidents of the two leagues met to arrange details of the game. The report that the time and place was set was furnished to the AP members, but was not supplied by UP. At the same time, the two presi-

dents announced the actual schedule for the opening games for the next baseball season. This news was furnished to AP members, but not to the Sun by UP.

3. On January 25, 1943, in Canada, the National Hockey League held a meeting presided over by its president, Mr. Frank Calder, a significant personality in the sports world. In the course of the meeting, Mr. Calder had a heart attack of which he died shortly after. The AP reported this story, a very important one to hockey enthusiasts, immediately to its members. The Sun received no report of Mr. Calder's seizure from UP.

4. Lefty Gomez of the Yankees is an important figure in baseball news. On January 26, 1943, he was sold to Boston and signed a contract with that team. This report was furnished by AP but not by UP until after it had appeared in the Tribune.

5. On the night of February 7, 1943, the New York Baseball Writers' Association was having its annual dinner. Captain Rickenbacker spoke at the dinner. His speech had been mailed in advance. Excerpts from that speech were reeeived from UP. At that meeting, Commissioner Landis made a statement of vital interest to baseball fans. Substantial quotations from his speech were furnished by AP but not by UP.

6. At the Women's State Golf Championship at Peoria in August, 1942, the AP furnished its clients with a story, complete cards and details. In order to get the story we had to use a correspondent.

7. At a tournament in St. Paul, the AP gave a complete detailed story. The UP furnished details of a few holes and the final score.

[fol. 1302] 8. I started to make a check of items supplied by AP appearing in the Tribune which had not been supplied to us at all or in time by the United Press. The number in the first two months of the operation of the paper was so large that instead of a continuous check I selected three additional months and continued the check for May, August and part of November, 1942. These, I believe, give a fair view of operations in our various sport news cycles. Each one of the items mentioned in the list that follows

appeared in the Chicago Tribune as a news item credited to AP. Not one of them, except as indicated below, was furnished by UP to the Sun, or if furnished, it was not supplied until after it had appeared in the Tribune.

It will be observed from the items enumerated below that on a check of 143 days there has been at least one such item on every day, except five days, and on most days more than one. On each of eleven days there were seven such items, and the totals reach as high as nine on each of three days, eleven on each of two days, and twelve and thirteen on one day each. It may also be noted that where line score coverage is noted there were often differences of from ten to twenty in the number furnished to AP clients and by UP to the Sun:

December 4, 1941. Jacksonville, Fla. Mordecai Brown, famous pitcher, buys into Terre Haute Baseball Club.

December 4, 1941. Wilkes-Barre, Pa. John Grodziki, St. Louis pitcher, passes Army test.

December 4, 1941. West Point. Army names twelve sports captains, several from Middle West.

December 5, 1941. Lexington, Ky. Keeneland racetrack retires bonds and makes contribution to Kentucky University.

December 6, 1941. Line basketball scores—46 to AP client, 26 to Sun.

December 7, 1941. New York. Jockey Don Meade leaves after operation to ride in Florida.

December 7, 1941. Detroit. Al Newhouser gets marriage license (pitcher).

December 7, 1941. Philadelphia. Manager Lobart says players Litwhiler and Podgajny not for sale.

December 7, 1941. Nashville. Pitcher Boots Poffenberger sold to San Diego.

[fol. 1303] December 7, 1941. Tulsa. Captain Greene gets permission to play in both Sun Bowl and North-South (football) games.

December 7, 1941. Philadelphia. Herman Taylor starts action against Mike Jacobs. Both are well-known fight promoters.

December 7, 1941. Los Angeles. University of Southern California president approves Sam Barry's coaching (football).

December 8, 1941. Hollywood, Calif. Hollywood Bears and Columbus Bulls football game.

December 8, 1941. Ocala, Fla. Pittsburgh Pitcher Rip Sewell shot in both legs.

December 9, 1941. Corsicana, Tex. Patty Berg (former women's golf champion) hurt in auto accident.

December 9, 1941. New Haven. Lou Trudell, former Black Hawk, leads American Hockey League scoring.

December 9, 1941. New York. Coast Guard band, reduced to six men, greets Buddy Baer (former heavyweight boxer).

December 9, 1941. Pontiac, Ill. Drawings for annual High School basketball tournament announced.

December 9, 1941. Columbia, Mo. Missouri picks Sugar Bowl as training site for football.

December 9, 1941. Philadelphia. Montgomery kayoes Garrison (boxing result).

December 10, 1941. Line basketball scores—43 to AP client, 31 to Sun.

December 10, 1941. Fight results, 4 towns to AP client, 2 to Sun.

December 10, 1941. Brooklyn. Musto jaw broken in fight.

December 10, 1941. Scranton, Pa. Leibold (former Chicago baseball star player) retained as manager.

December 10, 1941. Philadelphia. Connie Mack decides on training camp in California (baseball).

December 11, 1941. Wilmington. Financial report on Delaware racing for year.

December 11, 1941. Philadelphia. Greenberg (former baseball star) to return to Army.

December 11, 1941. Nashville. George Archie (Detroit baseball player) to enter Army.

[fol. 1304] December 12, 1941. Berkeley, Calif. Cancellation of Georgia Tech-California game (football intersectional game).

December 12, 1941. Louisville, Ky. Red Kress (former Chicago baseball player) signs as coach.

December 12, 1941. Boston. Dates for National A. A. U. boxing.

December 12, 1941. Valparaiso, Ind. Election of football captain.

December 13, 1941. Line basketball scores—55 to AP client, 37 to Sun.

December 13, 1941. Lexington, Ky. Bradley's 82nd birthday and hopes to win another Derby.

December 13, 1941. Milwaukee. American Bowling Congress wants bowlers to take prizes in Defense Bonds.

December 13, 1941. University of California at Los Angeles basketball team departs on four game western tour.

December 13, 1941. Undated summary. Cancellation of major Bowl football games.

December 14, 1941. Wichita. Wichita fires Gebert (former Notre Dame star) as football coach.

December 14, 1941. Columbia, Mo. Missouri names Sugar Bowl (football) squad.

December 14, 1941. Pittsburgh. Pirates announce Spring schedule (baseball).

December 14, 1941. New Haven. Yale announces, will meet Michigan (football).

December 16, 1941. Rensselaer, Ind. Joliet boy elected St. Joseph football captain.

December 16, 1941. Grinnell, Iowa. Grinnell Basketball team beats Knox.

December 16, 1941. Los Angeles. Navy asks for volunteers for Navy Relief fight.

December 16, 1941. Pageland, S. C. Mungo (former Major League baseball star) says Minneapolis too cold.

December 16, 1941. Omaha. Regional Director U. S. Wild Life okays bird hunting.

December 16, 1941. Birmingham. Dixie Conference on college athletics waives freshman rule.

[fol. 1305] December 16, 1941. New York. American Hockey League votes All Star game to Red Cross.

December 17, 1941. Los Angeles. J. Wilson retains boxing title.

December 18, 1941. Greenwood Lakes, N. Y. Louis begins training for Baer fight.

December 18, 1941. St. Louis. War cancels plans for international semipro baseball at Honolulu.

December 18, 1941. Macomb, Ill. Teachers College buys 55 acres for golf course.

December 18, 1941. Lubbock, Texas. Monte Stratton (former Chicago baseball star) signs as manager.

December 19, 1941. Line basketball scores—59 to AP client, 46 to Sun.

December 19, 1941. Corvallis, Oreg. Oregon State names football squad.

December 20, 1941. Line basketball scores—44 to AP client, 37 to Sun.

December 20, 1941. St. Louis. Loyola-Washington game, AP to Tribune, special to Sun.

December 20, 1941. Harlingen, Tex. Picard leads in golf tournament.

December 21, 1941. Jacksonville, Ill. Illinois College basketball team defeats Lake Forest College.

Goshen, N. Y. Grand Circuit steward meeting set (trotting races).

December 21, 1941. Sun Valley, Idaho. Collegiate ski meet.

December 21, 1941. Centralia, Ill. Eddleman scores 38 points, basketball.

December 21, 1941. New York. Marie Lenk breaks swim record.

December 22, 1941. Miami. Major League golf announced.

December 22, 1941. Wilmington, Del. Clippers win Association professional football title.

December 22, 1941. Miami. Don Meade to ride for Whitney.

[fol. 1306] December 22, 1941. Indianapolis. Chicago Bruins lose to Kantskys (professional basketball).

December 23, 1941. London. John DeForest, British amateur golfer, missing.

December 23, 1941. Omaha. Creighton beats Ohio State in basketball.

December 23, 1941. Detroit. Detroit beats Harvard in basketball.

December 23, 1941. Philadelphia. Interview Connie Mack on seventy-ninth birthday.

December 23, 1941. Montgomery, Ala. Captain elected for North-South football game.

December 23, 1941. New York. Golf ball shortage.

December 23, 1941. Spokane, Wash. Bud Ward, golfer, inducted.

December 24, 1941. Fayetteville, N. C. Silvio Coucci, former well-known jockey killed.

December 24, 1941. New York. National survey of racing's finance.

December 24, 1941. New Haven. Ivy Williamson in line for Yale football coaching job.

December 25, 1941. St. Louis. Cardinals give Dr. Hyland Christmas present (baseball).

December 26, 1941. San Jose. State players arrive home from Hawaii and tell war thrills.

December 26, 1941. Riverdale, Ga. Cecil Travis drafted.

December 26, 1941. New Orleans. East-West officials to work gratis in football post-season game.

December 26, 1941. Buffalo. Indiana hockey breaks Buffalo eight-game streak.

December 27, 1941. Fort Lauderdale, Fla. Two swim stars injured.

December 27, 1941. Philadelphia. Phils announce new working agreements.

December 27, 1941. New Orleans. Ted Schroeder given rating as most important entrant in Sugar Bowl tennis tournament.

[fol. 1307] December 27, 1941. Centralia, Ill. Eddleman refuses to name college selection.

December 27, 1941. Miami Beach. McPhail picks Cardinals as pennant threat.

December 27, 1941. San Diego. Jockey McAndrews dies.

December 27, 1941. Philadelphia. Clipper Smith wants football rules changed to favor offense.

December 27, 1941. Ithaca, N. Y. Cornell University to open new ski slide.

December 27, 1941. New York. Walter Okeson to get New York Touchdown Club award.

December 28, 1941. Columbus, Ohio. President Trautman sees business as usual.

December 28, 1941. New Orleans. Sabin loses Sugar Bowl tennis.

December 28, 1941. Wilmington, N. C. Wofford College football coach killed in plane crash.

December 28, 1941. Tucson, Ariz. Border conference considers freshman rule.

December 28, 1941. Willard, Ohio. Jim Langhurst, Ohio State football star, marries.

December 28, 1941. Miami Beach. Craig Wood, well known golfer, reinjured.

December 28, 1941. Indianapolis. Proceed with plans for 500 mile auto race.

December 28, 1941. Spokane, Wash. Bud Ward wins Round Table trophy (golf award).

December 28, 1941. Thomasville, N. C. Indianapolis shortstop hurt in explosion.

December 29, 1941. Washington. Mako, turned pro, may replace Perry (professional tennis).

December 29, 1941. Kansas City. Kansas City hockey team beats Tulsa.

December 29, 1941. New York. Louis named fighter of year.

December 29, 1941. Pinehurst. Polo player killed in game.

December 29, 1941. Los Angeles. California tennis chief blasts Kovacs.

[fol. 1308] December 29, 1941. New York. Pro League football all-star practice opening.

December 30, 1941. Detroit. Football coaches meeting.

December 30, 1941. Santa Clara. Loyola and Santa Clara basketball game and box.

December 30, 1941. Peoria. Bradley and Oklahoma basketball game and box.

December 30, 1941. Berkeley. Stanford and Ohio State basketball game and box.

December 30, 1941. Boston. Shannon baseball trophy to Joe DiMaggio.

December 30, 1941. New York. Sullivan amateur athletics' award to Leslie MacMitchell.

December 31, 1941. Berkeley. Loyola-California basketball game and box.

December 31, 1941. Philadelphia. Kovacs beats Budge, tennis.

December 31, 1941. Norwich, N. Y. Former Minnesota player sells farm and joins Army.

December 31, 1941. Panama, C. Z. Sarah Palfrey Cooke wins in tennis.

December 31, 1941. Detroit. Football coaches meeting.

January 1, 1942. Detroit. Zuppke, famous former football coach, formerly at University of Illinois, looks for job.

January 2, 1942. Milwaukee. Martin vs. Milsap fight.

January 2, 1942. Paterson, N. J. Former champion Berlenbach marries.

January 2, 1942. Miami. Carl Snavely denies University of South Carolina coaching bid.

January 3, 1942. Manhattan, Kans. Oklahoma basketball star barred.

January 3, 1942. El Paso, Tex. Texas Tech coach dangerously ill.

January 3, 1942. Springfield, Ill. Oregon State beats Texas Agricultural & Mechanical College in special holiday tour basketball game.

January 3, 1942. New York. Nathan Mann, former boxer, joins Coast Guard.

[fol. 1309] January 4, 1942. New York. New York Giants spring exhibition schedule.

January 4, 1942. Cleveland. Cleveland Indians spring exhibition schedule.

January 4, 1942. Los Angeles. Army may lift ban at Santa Anita.

January 4, 1942. Washington. National rifle championship rankings.

January 4, 1942. Minneapolis. Bierman loss, consensus story (famous Minnesota football coach).

January 4, 1942. Los Angeles. $10,000 Open Golf Tournament practice scores.

January 4, 1942. Detroit. Detroit Tigers spring exhibition schedule.

January 5, 1942. Greenwood Lake, N. Y. Louis training story.

January 5, 1942. New York. Mel Sheppard, former Olympic star, dies.

January 5, 1942. New York. Babe Ruth illness bulletin.

January 5, 1942. Boston. Bruins buy hockey player from Brooklyn.

January 5, 1942. Lawrence, Kans. Kansas drops player from basketball for good of squad.

January 6, 1942. Boston. Ted Williams gets Boston Writers' Trophy.

January 6, 1942. New York. Corbett, Brooklyn rookie, enlists in Navy.

January 6, 1942. Washington. Don Miller okayed by Senate as U. S. Attorney.

January 6, 1942. Indianapolis. Pop Myers quits speedway after 31 years of auto racing.

January 7, 1942. Los Angeles. Ben Hogan ties course record in golf.

January 7, 1942. Tampa, Fla. Dixie tennis tournament.

January 7, 1942. New York. Cochrane to meet Robinson-Zivic winner.

January 8, 1942. San Francisco. Bill Posedel to rejoin Navy.

[fol. 1310] January 8, 1942. Grand Rapids. Great Lakes basketball game and box.

January 8, 1942. Tampa, Fla. Dixie tennis tournament.

January 8, 1942. Hershey, Pa. Kovacs and Budge tennis match.

January 8, 1942. Goshen, N. Y. Hambletonian trotters entry list.

January 8, 1942. Los Angeles. Open golf tournament trials story.

January 8, 1942. Atlanta, Ga. Army accepts Man Mountain Dean (former wrestler).

January 9, 1942. New York. Vanderbilt elected Jockey Club.

January 9, 1942. Philadelphia. Boxing Commission bars aliens.

January 9, 1942. New York. Eastern schools keep full sport program.

January 9, 1942. Boston. Peskey (famous Boston baseball player) classified 1A.

January 9, 1942. Milwaukee. Yates and Audy win six-day bike race.

January 9, 1942. New Haven. Riggs-Kovacs tennis match.

January 10, 1942. Elkhart, Ind. Notre Dame football Captain Lillis has to pay $10,000 damages for auto wreck.

January 10, 1942. Lawrence, Kans. Allen demands proselyting showndown with Oklahoma.

January 10, 1942. Line basketball scores—70 to AP client, 65 to Sun.

January 11, 1942. Miami. Jockey Young has skull fracture.

January 11, 1942. Washington. Renew efforts to bring British boxer Tommy Farr over.

January 11, 1942. Bear Mountain, N. Y. Ski Association to change terms from German to English.

January 11, 1942. New York. New York Yankees announce spring schedule.

January 11, 1942. Washington. War Department rejects Jack Dempsey enlistment application.

[fol. 1311] January 11, 1942. Newark. Frankhouse to Kansas City as coach.

January 11, 1942. Miami. California "refugee" horses arrive.

January 11, 1942. Columbus, Ohio. Jesse Owen appointed Civil Defense Athletic Head for Negroes.

January 11, 1942. St. Louis. St. Louis Cardinals announce spring schedule.

January 11, 1942. Ames, Iowa. Midwest college wrestling results.

January 11, 1942. Lawrence, Kans. Kansas and Oklahoma settle eligibility in college football row.

January 11, 1942. St. Louis. Don Barnes of St. Louis (baseball) Browns says war drain will balance league.

January 11, 1942. Durham, N. C. Minor leagues lose 300 players to Armed Forces.

January 11, 1942. Berlin. Oye, Jap Olympic pole vaulter, killed.

January 12, 1942. Washington. Bierman and Hanley, well-known football coaches, to active duty.

January 12, 1942. Minneapolis. Leave granted Bierman by University of Minnesota.

January 12, 1942. Toronto. Canadian Open Golf Tournament to be held.

January 12, 1942. Elkton, Md. Fred Perry remarried.

January 12, 1942. Tampa, Fla. Kramer wins Dixie tennis.

January 12, 1942. Oconomowoc, Wis. Bietilla Brothers win ski meet.

January 12, 1942. Los Angeles. P. G. A. announces three months golf schedules.

January 13, 1942. Albany. Dempsey tries to join Coast Guard.

January 13, 1942. Cleveland. Kovacs beats Budge, tennis.

January 14, 1942. Pittsburgh. Riggs beats Kovacs, tennis.

January 15, 1942. Minneapolis. Farewell party for Coach Bierman.

January 15, 1942. Syracuse, N. Y. Marquette basketball game story and box.

[fol. 1312] January 15, 1942. Boston. Moe Berg joins Government service.

January 15, 1942. Detroit. Gehringer, Detroit baseball player, missing from Tiger roster.

January 15, 1942. Des Moines, Iowa. Drake announces relays will go on.

January 15, 1942. New York. U. S. L. T. A. president asks cancellation of indoor tournaments.

January 15, 1942. Line basketball scores—41 to AP client, 28 to Sun.

January 16, 1942. Washington. Educators called to inspect Navy athletic program.

January 16, 1942. New Orleans. Fair Grounds does 50% expected racing business.

January 17, 1942. Fort Myers, Fla. P. G. A. Seniors tournament starts.

January 17, 1942. Minneapolis. Bierman testimonial dinner.

January 18, 1942. New York. U. S. L. T. A. penalizes star players—lists rankings.

January 18, 1942. Coral Gables, Fla. Kramer, one of above-mentioned star players, says it is all a mistake.

January 18, 1942. Lancaster, Pa. Cornell, Iowa, college coach picked by Franklin and Marshall.

January 18, 1942. Minneapolis. Bierman accepts National Championship trophy.

January 18, 1942. Dallas. Yankees sell outfielder to Dallas.

January 18, 1942. New Haven. Yale-Penn swim meet.

January 18, 1942. Philadelphia. Podgajny and Hughes sign (baseball).

January 18, 1942. St. Louis. Missouri Valley lifts freshman rule.

January 18, 1942. Oakland. John Bulla to quit golf.

January 18, 1942. New York. Hope to solve golf ball shortage.

January 18, 1942. Fort Myers, Fla. Eddie Williams, Chicago, leads P. G. A. Seniors Golf tournament.

January 18, 1942. Punta Gorda, Fla. Ellamae Williams, Chicago, wins golf tournament, first round.

[fol. 1313] January 19, 1942. Boston. Suffolk Downs to give day's receipts to Service.

January 19, 1942. Pittsburgh. Stu Martin signs baseball contract.

January 19, 1942. Punta Gorda, Fla. Ellamae Williams, golf.

January 19, 1942. Miami Beach. Wood-Walsh beat Armour-Sarazen in Red Cross match.

January 20, 1942. Philadelphia. Hoerest, Phils pitcher, marries.

January 20, 1942. Ottawa, Canada. Kovacs, tennis player, injured.

January 20, 1942. Phoenix, Ariz. Funeral plans for Ford, Hawthorne racing executive.

January 20, 1942. Minneapolis. Tulsa hockey player bought.

January 20, 1942. Monticello, Ind. Shaggs, veteran coach, dies.

January 21, 1942. Richmond, Va. Coach Voyles approached on Illinois job.

January 21, 1942. Punta Gorda, Fla. Ellamae Williams loses in finals.

January 22, 1942. Cleveland. Peckinpaugh holds up Indians baseball contract.

January 22, 1942. Omaha. Kitty Gorman hired as Creighton baseball coach.

January 22, 1942. St. Louis. Washington University fires football coach.

January 23, 1942. Richmond, Va. Voyles not interested in Illinois job.

January 23, 1942. Indianapolis. Riggs beats Budge, tennis.

January 23, 1942. Boston. Red Cross spurns All Star hockey benefit game.

January 23, 1942. Columbus, Ohio. Coach Brown gets Chamber of Commerce medal.

January 24, 1942. Detroit. Cowley, Boston hockey player, out for season.

[fol. 1314] January 24, 1942. Philadelphia. Simmons to be Athletics' coach.

January 24, 1942. Omaha. Pressnell to succeed Jones as Nebraska coach.

January 24, 1942. Columbus, Ohio. Ohio State cancels spring baseball trip.

January 24, 1942. St. Petersburg, Fla. International yacht race to be held.

January 24, 1942. LaCrosse, Wis. Mild weather stops Central Ski meet.

January 25, 1942. Bear Mountain, N. Y. Torger Tokle gets draft classification.

January 25, 1942. Cleveland. Finals National Squash Racquets.

January 25, 1942. Little Rock. Government recommends halting horse and dog racing.

January 25, 1942. Menominee, Wis. Alf Enger suspended by Ski Association.

January 25, 1942. Laramie, Wyo. Six schools vote to suspend basketball relations with Denver.

January 25, 1942. Toronto. Pitcher Fisher traded to Seattle.

January 25, 1942. Minneapolis. Business men underwrite $25,000 offer to Cochrane for fight.

January 25, 1942. St. Petersburg, Fla. Selkirk (New York Yankee baseball player) reports back injury cured.

January 25, 1942. Columbus, Ohio. Twenty-six Ohio State athletes recommended for posts with Navy.

January 25, 1942. Havana. Harry Nye, Chicago, eighth in yacht race.

January 25, 1942. Minneapolis. Williams, famous Boston baseball player, induction delayed a week.

January 26, 1942. Winnipeg. Fox, hockey star, killed overseas.

January 26, 1942. Richmond. Coach Thistlewaite out as coach.

January 26, 1942. Atlanta. More than half small colleges in South to curtail sports.

[fol. 1315] January 26, 1942. Miami. Yacht Club plans substitute for Nassau race.

January 27, 1942. Richmond. Story on Coach Thistlewaite firing.

January 27, 1942. Kansas City. Budge beats Riggs, tennis.

January 27, 1942. San Francisco. Kewanee, Illinois golfer, leaves for home and Army test.

January 27, 1942. Philadelphia. Boxer Jenkins to start come-back.

January 27, 1942. Havana. Nye of Chicago wins yacht race.

January 27, 1942. Baltimore. Polish-American track and field meet games cancelled.

January 28, 1942. Los Angeles. Chalky Wright fight postponed.

January 28, 1942. Phoenix. Former All-American dies.

January 28, 1942. Miami. Women's Golf Tournament.

January 28, 1942. Iron Mountain, Mich. Ski tournament postponed.

January 29, 1942. St. Louis. Cardinals keep dates open for Service games.

January 29, 1942. New York. Terry says Giants will beat Brooklyn.

January 29, 1942. New York. Snyder named Jersey City manager.

January 29, 1942. Utica, N. Y. Yankee pitcher, Peck, enlists.

January 29, 1942. Louisville. Churchill Downs gives $50,000 to Red Cross.

January 29, 1942. Montreal. Boston hockey stars report to Canadian A. F.

January 29, 1942. Omaha. Budge beats Shaefer.

January 30, 1942. St. Louis. Owner Breadon against twilight baseball.

January 30, 1942. Washington. Bierman, Hanley, etc. urge sports go on.

January 30, 1942. Detroit. Mickey Cochrane, famous former baseball manager, joins Navy.

[fol. 1316] January 31, 1942. New London, Connecticut. Har ard-Yale boat race shift.

January 31, 1942. New York. Abe Simon to marry.

January 31, 1942. Navy confirms Cochrane, famous former baseball manager, enlistment.

January 31, 1942. Boston. Clapper assistant manager of Bruins.

January 31, 1942. Havana. Nye of Chicago loses yacht race title.

May 1, 1942. New York. Eastern clubs hope to avoid night baseball ban.

May 1, 1942. Richmond. Feller to pitch against Porter Vaughan.

May 1, 1942. Detroit. Hockey Player Kilres enlists in Canadian Army.

May 1, 1942. Detroit. Red Burman wins fight.

May 1, 1942. Cincinnati. Alex Kampouris ill.

May 2, 1942. New York. Women's AAU swim meet.

May 2, 1942. Philadelphia. Galan (Brooklyn baseball player) to hospital with typhoid fever.

May 2, 1942. Boston. Browns send Mun rief home with broken rib.

May 3, 1942. New York. Marylyn Sahner sets swim record.

May 4, 1942. Cleveland. Wife of Roy Weatherly, Cleveland baseball player, gives birth to daughter.

May 4, 1942. Houston. Rogers Hornsby goes on active list and wins game.

May 4, 1942. Omaha. Rohrig and Spadaccini, football stars, ordered to Air School, Miami Beach.

May 4, 1942. Boston. P. G. A. exempts Service golfers from qualifying.

May 5, 1942. New York. Yankees cancel game to help Brooklyn Navy Relief plans.

May 6, 1942. San Francisco. Former public links champion killed in accident.

May 6, 1942. Boston. Suffolk Downs reports on year's profits from racing.

[fol. 1317] May 7, 1942. New York. American Hockey League meeting.

May 7, 1942. Newton, Mass. Horton Smith in Navy Relief golf.

May 7, 1942. Toronto. Four major league hockey players called to Army.

May 8, 1942. Buffalo. Newark pitcher Stewart dies.

May 8, 1942. New York. USGA lists 2,964 Red Cross events.

May 9, 1942. Louisville. American Association president Trautman marries.

May 9, 1942. Philadelphia. Athletics option player to Williamsport (Baseball).

May 9, 1942. Detroit. Walter Briggs, Jr., son of Detroit baseball club owner, accepted for Service.

May 9, 1942. Farmville, Va. Navy pitcher subs for Feller; pitches no hit game.

May 10, 1942. Cincinnati. Whitey Moore to join Cardinals.

May 10, 1942. Norman, Oklahoma. Oklahoma retains Conference baseball lead.

May 10, 1942. Dallas. Texas retains track title.

May 10, 1942. Athens, Ga. Hurdler Townes gets Army Commission.

May 10, 1942. Roxboro, N. C. Enos Slaughter, famous baseball player; placed in 1A.

May 10, 1942. Columbia, Mo. Nebraska beats Missouri in track meet.

May 10, 1942. Newport. Feller, famous baseball player, to be transferred here.

May 11, 1942. Langhorne, Pa. Wilburn sets dirt track auto mark.

May 11, 1942. Philadelphia. Phils ask War Department for visit from Pvt. Mulcahy.

May 11, 1942. Boston. Suffolk Downs trains 200 employees as air wardens.

May 11, 1942. Greenville, Ohio. Two auto race drivers killed.

[fol. 1318] May 11, 1942. Memphis. Cotton carnival track meet results.

May 11, 1942. Boston. Five prominent pro golfers enter Relief tournament.

May 11, 1942. Cincinnati. William Mihalo, former Chicagoan, wins 50,000 meter walk.

May 11, 1942. Detroit. Hagen and Demaret win War Relief golf.

May 11, 1942. Mexico City. U. S. meets Argentina for polo championship.

May 12, 1942. Philadelphia. Phils invite Alexander and Killefer to appear in Relief game.

May 12, 1942. Pittsburgh. Pitcher Hildebrand sent to minors.

May 13, 1942. Milwaukee. Women's international Bowling Congress Tournament awarded Grand Rapids.

May 14, 1942. St. Louis. Browns release pitcher.

May 14, 1942. Madison, Wis. Wisconsin crew leaves for Boston.

May 15, 1942. New York. Angott-Stolz fight.

May 15, 1942. Goshen, N. Y. 321 named for 1944 Hambletonian.

May 15, 1942. Lubbock, Texas. Monte Stratton, famous baseball player, retires as manager.

May 15, 1942. New York. Infielder Werber goes to hospital.

May 15, 1942. Buffalo. Franks, Montreal catcher, sworn into Navy.

May 16, 1942. Boston. Adams Cup regatta.

May 17, 1942. New York. Reds send pitcher to Syracuse.

May 17, 1942. Boston. Harvard wins Adams Cup regatta.

May 17, 1942. Indianapolis. Boxer Chuck Wiggins found badly injured in gutter.

May 17, 1942. Annapolis. Radio rights to Army-Navy game sold.

May 18, 1942. New York. Belmont expects one day betting record.

May 18, 1942. Louisville. Senator Chandler beats Bing Crosby in golf benefit match.

[fol. 1319] May 19, 1942. New York. Army and Navy enter track and field meet of the Intercollegiate Amateur Athletic Association of America for first time.

May 19, 1942. St. Louis. Browns return Dahlgren to Cubs.

May 20, 1942. San Bernardino. Wife of Jockey Adams dies in accident.

May 21, 1942. Atlanta, Ga. Bob Jones applies for Army commission.

May 21, 1942. Jacksonville, Fla. Night baseball out for duration.

May 21, 1942. Omaha. Pukema, Minnesota football star, enters Coast Guard.

May 21, 1942. New York. Whirlaway draws top weight in Suburban handicap race (Racing).

May 21, 1942. Utica, N. Y. McConnell, former White Sox player, dies.

May 24, 1942. Goshen, N. Y. Famous trotter to be retired.

May 24, 1942. San Francisco. Thornhill, former Stanford coach, physical director for 3 shipyards.

May 24, 1942. Santa Ana, Calif. Hennessey, former Davis Cup star, commissioner in Army Air Corps.

May 26, 1942. Palo Alto, Calif. Stanford cancels all summer trips.

May 26, 1942. New York. Rice and Dodds to run two-mile special.

May 27, 1942. Toronto. Two golfers qualify here for Hale America tourney.

May 27, 1942. Indianapolis. Infielder sold to Milwaukee.

May 28, 1942. Hatboro, Pa. High school track coach killed by discus thrown by member of his squad.

May 28, 1942. Columbus, Ohio. Ohio State-Illinois football game transferred to Cleveland.

May 28, 1942. Mineola, N. Y. Belmont Park gets ultimatum on War protection.

May 29, 1942. Annapolis. Captain Oberash reports as Athletic Director.

May 29, 1942. Seattle. Pacific Coast Conference limits entries for meet with Big Ten.

[fol. 1320] May 30, 1942. Louisville. Great Lakes beat Louisville Colonels.

May 31, 1942. Washington. Joe Louis to be transferred to replacement center.

May 31, 1942. Palo Alto, Calif. Chancellor Wilbur and others contribute to fund to send golf and track teams East.

May 31, 1942. Columbia, Mo. Missouri retires Stadium bonds on Sugar Bowl profits.

May 31, 1942. London. 75,000 see soccer match.

August 1, 1942. Peoria, Ill. Women's golf.

August 1, 1942. Salem, N. H. Turnbull rides seven winners.

August 1, 1942. Green Bay, Wis. Packers sign 26 players for professional football.

August 2, 1942. Nashville. Cubs send pitcher Bowman to Nashville.

August 2, 1942. Minneapolis. Great Lakes vs. Minneapolis baseball.

August 2, 1942. Green Bay, Wis. Packers exhibition schedule for professional football.

August 2, 1942. Sarina, Ontario. Wilmette yachtman leads in Great Lakes yacht races.

August 3, 1942. Quincy, Ill. American Legion Junior baseball.

August 3, 1942. Sarina, Ontario. Great Lakes yacht races.

August 5, 1942. Saratoga Springs. Yearling sales (day by day for several years).

August 6, 1942. Milwaukee. Packers seek $75,000 Army and Navy Relief goal (Professional football).

August 6, 1942. Brooklyn. Pete Reiser out of Giant series.

August 7, 1942. Toronto. Canadian Open golf and complete scores.

August 7, 1942. Syracuse. National Skeet Shoot championship (for several days).

August 7, 1942. Washington. Ernie Nevers ordered to duty as Marines Lieutenant.

August 7, 1942. Albany. Satchel Paige opposes negroes in major league plan.

[fol. 1321] August 8, 1942. Montreal. Calder seeks way to save hockey league.

August 8, 1942. Toronto. Canadian Open [illegible]

August 8, 1942. Rye, N. Y. Tennis tourney.

August 8, 1942. Charlevoix, Mich. Northwestern back, Chambers, signs pro football contract with Detroit.

August 8, 1942. Montreal. Brooklyn hockey player in RCAF.

August 9, 1942. Rye, N. Y. Tennis tourney.

August 9, 1942. Philadelphia. Phils pitcher Hoerst gets Ensign commission.

August 9, 1942. Toronto. Canadian golf.

August 9, 1942. Chattahoochee, Fla. Former boxer, Jack Dillon, reported dead.

August 9, 1942. Springfield, Ohio. State Junior Legion baseball.

August 10, 1942. Des Moines. Evert, Notre Dame, wins tennis title.

August 10, 1942. Syracuse. National Skeet shoot title.

August 10, 1942. Rye, N. Y. Tennis tourney.

August 11, 1942. New York. Wife of Tommy Henrich, New York Yankee baseball player, bears daughter.

August 12, 1942. Cleveland. Boudreau, Cleveland baseball manager, gets three year contract.

August 12, 1942. Two Rivers, Wis. Phil Eagles, professional football, signs Erdlitz of Northwestern.

August 13, 1942. Cleveland. Johnny Risko, former boxer, inducted.

August 14, 1942. Rochester. Golf tourney and 25 scores.

August 15, 1942. Rochester. Golf tourney and 35 scores.

August 16, 1942. Detroit. Race betting mark broken.

August 16, 1942. Bellefonte, Pa. Penn State halfback dies after operation.

August 16, 1942. Independence, Kans. Tennis tourney.

August 16, 1942. Aberdeen, S. Dak. Legion Junior baseball.

August 17, 1942. Buffalo. Geary, missing Pittsburgh shortstop, retires.

[fol. 1322] August 17, 1942. St. Joseph, Mo. East Chicago Junior Legion team beaten 25 to 0. Score by innings and batteries.

August 17, 1942. Newport. Tennis tourney.

August 18, 1942. Sycamore, Ill. State semipro b. b. championship score by innings and batteries.

August 18, 1942. Brookline, Mass. Player Talbert drafted; out of Longwood tennis.

August 18, 1942. Saratoga Springs. Adios wins pacing stake (with summaries).

August 19, 1942. Cleveland. Nelson shoots 63 in Ohio Open.

August 19, 1942. Waukesha, Wis. Cardinals sign two football players.

August 20, 1942. Waco, Tex. Detroit catcher, Tebbetts, enlists.

August 20, 1942. Detroit. Schoolboy Rowe seeks defense job.

August 20, 1942. New York. Yankees Relief game nears sell-out.

August 21, 1942. New York. Billy Evans to Umpire in Relief Game.

August 21, 1942. Saratoga. Whirlaway enters Trenton Handicap.

August 22, 1942. East Liverpool, Ohio. Rams beat Steelers in pro grid game.

August 22, 1942. Houston. Wakefield, former Michigan baseball star, Texas League's most valuable player.

August 23, 1942. Columbus, Ohio. Army and Navy Relief gets $6,755 from Association All Star game.

August 23, 1942. Clementson, N. J. AAU women's swimming.

August 23, 1942. Peoria. Peoria high schools get three new football coaches.

August 23, 1942. Philadelphia. Niece of F. D. R. loses in tennis.

August 23, 1942. Wellsville, N. Y. Former Detroit pitcher dies.

[fol. 1323] August 23, 1942. Detroit. Tigers sell 40,000 seats for Relief game.

August 23, 1942. Ottawa. Three U. S. youths win Junior Davis Cup tennis.

August 25, 1942. Philadelphia. Girls tennis.

August 25, 1942. New York. Schroeder is regarded as top player eligible to compete in U. S. Tennis single championship tournament.

August 25, 1942. Cleveland. Henrich, former New York Yankees baseball player, enters Coast Coast.

August 27, 1942. Oakland. Armstrong wins fight.

August 27, 1942. New York. Yankee Relief game sets record.

August 27, 1942. St. Louis. Durocher fined $25.

August 27, 1942. New York. Dan Topping, owner of Brooklyn profesional football team, gets Marines Captain commission.

August 28, 1942. Cedar Rapids. Cedar Rapids clinches Illinois-Indiana-Iowa League title in baseball.

August 28, 1942. Los Angeles. Coast Conference bars two freshmen.

August 28, 1942. Superior, Wis. Football. New York Giants end training.

August 28, 1942. Miami. Dad Myers, track veteran, dies.

August 29, 1942. Bedford, Ind. Bill Rariden, former major league star dies.

August 30, 1942. Akron, Ohio. Jack Jacobs signs with Cleveland Rams.

August 30, 1942. Brooklyn. Packer-Dodgers football game postponed.

August 30, 1942. Hastings, Nebr. Los Angeles wins Legion Junior baseball.

August 30, 1942. Mount Vernon, Ill. Illinois high school all-stars defeat Indiana all-stars.

August 30, 1942. Cincinnati. Reds release Mattick, former Cub.

August 30, 1942. Los Angeles. Bay Meadows to be allowed race meet.

[fol. 1324] August 30, 1942. Hastings, Nebr. Los Angeles wins Legion Junior title, for western division.

August 30, 1942. Manchester, N. H. Manchester wins Legion Junior title for eastern division.

November 1, 1942. St. Louis. Rickey confers with Durocher on draft status.

November 1, 1942. Miami. Miami vs Furman football game.

November 1, 1942. Franklin, Ind. McGovern of Rose Poly scores 35 points.

November 2, 1942. Philadelphia. Villanova-Manhattan football game.

November 2, 1942. Boston. Jack Sharkey, former boxing champion, to hospital with infection.

November 2, 1942. London. $10,400 Daily Double reported.

November 3, 1942. Baltimore. Whirlaway-Riverland race advance story.

November 3, 1942. Fort Jackson, S. C. Lew Riggs, baseball player, gets Army uniform.

November 3, 1942. Lincoln, Nebr. Nebraska star halfback injured.

November 4, 1942. Philadelphia. Phils sell Ernie Koy.

November 4, 1942. Little Rock. Willis Hudlin, baseball player, enlists.

November 4, 1942. Minneapolis. Boxer Jack LaBelle dies.

November 5, 1942. New York. Belmont opens Victory Week.

November 5, 1942. West Point. Three Army players hurt; out of Notre Dame game.

November 5, 1942. New Haven. Yale loses guard for Cornell game.

November 6, 1942. Penetanguishene, Ontario. Marchilden, Athletic's pitcher, joins RCAF.

November 6, 1942. Hollywood. Bing Crosby cancels golf tournament.

November 6, 1942. Cambridge. Harvard loses blocking back for Michigan game.

[fol. 1325] November 7, 1942. Madison, Wis. Wisconsin freshmen beat Minnesota freshmen. With summary.

November 8, 1942. New York. Bill Brown to quit New York ring commission.

November 8, 1942. New York. Buddy Hassett to enlist in Navy.

November 8, 1942. Macomb, Ill. State Normal wins ICC cross country race.

November 8, 1942. London. Wales defeats England for Rugby championship.

November 8, 1942. Muncie, Ind. Valparaiso University and Ball State College football game.

November 8, 1942. Louisville. Seahawks-Fort Knox football.

November 8, 1942. Eugene, Oreg. Oregon-University of California at Los Angeles football game.

November 9, 1942. Detroit. Steelers-Lions pro game.

November 9, 1942. Washington. Redskins-Cardinals pro game.

November 10, 1942. Chattanooga. Johnny Beazley says he'll stay in Army for life.

November 10, 1942. Laytonville, Calif. Camilli announces he is quitting baseball.

November 10, 1942. Baltimore Riverland out of race (Horse racing).

November 10, 1942. New Haven. Thurier leads American Hockey League.

November 10, 1942. Manhattan, Kans. Kansas State player hurt; quits school.

November 10, 1942. State College, Pa. Penn State to start freshmen.

November 11, 1942. St. Louis. Ray Mueller named Pacific Coast League's most valued player (Baseball).

November 11, 1942. Durham, N. C. Minor League draft opens.

November 11, 1942. Toronto. Maple Leafs sign college freshman hockey star.

[fol. 1326] November 11, 1942. Ann Arbor. Doctors o. k. Kuzma for Notre Dame game.

November 12, 1942. Lincoln. Nebraska takes 35 players on Pitt trip.

November 12, 1942. Cleveland. Buster Mills in Army Air force.

November 13, 1942. Boston. Mickey Cochrane's mother dies.

November 13, 1942. New York. Amount of money bet at Belmont—War Relief $225,000 share.

November 13, 1942. Tampa. Derringer and Waner to condition aviators.

November 13, 1942. St. Louis. Durocher says he will return to shortstop play.

November 14, 1942. New York. Injured Leemans rejoins football Giants with special helmet.

November 14, 1942. New York. Princeton-Yale meet in new setting.

November 15, 1942. Sweetsburg, Quebec. Hockey star to have Army hearing.

November 15, 1942. Miami. Whirlaway arrives for two months rest.

November 16, 1942. Montgomery, Ala. Four players accept North vs. South game bids.

November 16, 1942. San Francisco. New Rose Bowl invitation plans considered.

November 16, 1942. Detroit. Detroit-Villanova football game.

November 17, 1942. Philadelphia. Temple baseball coach quits for War job.

November 17, 1942. Boston. Red Sox pitcher, Charley Wagner, joins Navy.

November 17, 1942. Hanover. Dartmouth loses football equipment.

November 17, 1942. Atlanta. Georgia Tech coach resumes duties after illness.

November 18, 1942. Boston. Hockey governors to consider cut in number of players.

[fol. 1327] November 18, 1942. South Bend. Notre Dame announces 20-game basketball slate.

November 18, 1942. Pasadena. Coast fans want Georgia for Rose Bowl.

November 18, 1942. San Bernadino. President Benswanger of Pittsburgh announces retention of Frisch as baseball manager.

November 18, 1942. Buffalo. American Bowling Congress officials meet; may drop tournament.

November 19, 1942. Norman, Okla. Oklahoma leaves for Temple game.

November 19, 1942. Miami. Horse and dog tracks get scare on gas rationing.

November 19, 1942. Charlestown. Race meet to open November 30.

November 19, 1942. Lincoln. Five Nebraska regulars out with injuries.

November 19, 1942. Montreal. Fitzsimmons of Brooklyn offered manager's job.

November 19, 1942. Washington. WPB restricts repair of fishing equipment.

November 20, 1942. St. Louis. Enos Slaughter, baseball star, divorced. Awaits Army call.

November 21, 1942. Hastings, Nebr. Father of Lon Stiner, famous football coach, dies.

November 21, 1942. Los Angeles. Army to leave Hollywood race-track, but no racing likely.

November 21, 1942. Montreal. National Hockey league bans overtime play.

November 21, 1942. East Lansing. Three favored in National Collegiate Athletic Association cross country.

November 21, 1942. Miami. Trainer says Whirlaway will compete for two more years.

(Signed) Warren Brown.

Sworn to before me this 7th day of May, 1943.

Ruth Herman, Notary Public. [Seal.]

My Comm. Exp. Jan. 10, 1946.

[fol. 1328] AFFIDAVIT OF THOMAS A. DAFFRON, JR.

STATE OF ILLINOIS,
County of Cook, ss.:

Thomas A. Daffron, being duly sworn, deposes and says:

I was telegraph editor of the Washington Post in 1935. Thereafter I was on various desks at the New York World Telegram. I came to The Chicago Sun on November 24, 1941, and have been its telegraph editor ever since. In this capacity I receive copy from our bureau wires, from our news services, and from special correspondents. I handle all national domestic news—that is, news coming from all parts of the United States—except the city news and the news from the neighboring states. During the period of my employment by the Washington Post and the World Telegram I had the opportunity of observing The Associated Press (herein called "AP") and the United Press (herein called "UP") services at close range. Each of these papers used both services, and thus could select between the stories furnished by the two services on any news events whichever story was considered the better and could check a news item furnished by one service against the other. My observations during that period, and since, have given me the opportunity to compare the two services.

It has been my experience that news events of importance to morning newspapers which occur at night or in remote parts of the country are reported with greater thoroughness and speed by AP than by UP. A morning paper must receive reports of events occurring at night with the greatest promptness in order to have them in time for publication. Moreover, in events occurring in this country, it has been my experience that the AP has a more comprehensive coverage than has UP or any other service.

The following are instances of news events published in the Chicago Tribune between October 30, 1942, and March 25, 1943, which were credited to AP. As to these items, UP did not furnish the story to The Chicago Sun; or else did not furnish a story until after news of the event had been published in the Chicago Tribune.

October 30, 1942. The story of a tornado in Arkansas.

November 19, 1942. The story of a plane crash in Ohio.

November 21, 1942. The account of a plane crash in Ohio.

[fol. 1329] November 18, 1942. Bomber with six aboard, missing—Fort Myers, Fla.

November 11, 1942. Lack of money in Jefferson City, Mo., to buy food for inmates of insane asylum.

December 14, 1942. Newfoundland fire. The AP kept ahead of the UP on the casualties. It was not until the late edition that we received an entire story which carried eyewitness accounts. The AP had an advantage in the reporting of this story since the St. Johns Telegram, the evening paper in Newfoundland, is a member of the Canadian Press and consequently, as I am informed, its news-gathering facilities were available to AP.

November 30, 1942. The Boston fire. We did not get a complete story of the Cocoanut Grove fire until the later editions nor until we had supplemented the UP story by telephoning a special correspondent in Boston.

January 7, 1943. Plane crash in Louisiana. UP failed to carry on its night wire the identification of Chicagoan killed. It was carried by the Tribune with credit to AP.

January 8, 1943. Philadelphia fuel oil shortage causes closing of schools.

January 8, 1943. From South Carolina—identification of an Indiana boy in plane crash. (This item was important since the Sun circulates in the Indiana territory.) The account was carried by the Tribune.

January 14, 1943. Army courier being held up.

January 25, 1943. Victims of plane wreck—date lined Topeka, Kansas.

January 25, 1943. A statement of Vice President Wallace was printed by the Tribune with AP credit earlier than it was received by us from UP.

January 29, 1943. War Casualty List was carried by AP on its night wire but not by UP.

February 12, 1943. Judge L. L. Parks' ruling that closed shop agreements between the Tampa Shipbuilding Co. and 14 A. F. of L. unions, covering 12,000 workers, were invalid for the duration of war.

[fol. 1330] February 25, 1943. An account from Washington of a special rationing board being set up solely for members of Congress.

February 26, 1943. Testimony of Major Gen. I. H. Edwards, assistant chief of staff, before a Senate appropriations subcommittee in which he said that the overseas force

of the U. S. Army would total 2,700,000 by the end of 1943 and 4,750,000 by the end of 1944 and that the Army Air Forces by the end of this year would consist of 900 squadrons numbering 2,450,000 men.

March 23, 1943. A story from New Orleans of the Rev. Charles Monroe, Episcopal rector, being in a hospital stabbed after shooting his ex-secretary and her husband.

March 24, 1943. The death of Edward W. Beatty, former president of the Canadian Pacific Railroad.

March 25, 1943. A story from Pittston, Pa., of a $400,000 high school and some 150 homes crumbling as an old mine caved in.

(Sgd.) Thomas A. Daffron, Jr.

Sworn to before me this 7th day of May, 1943. Ruth Herman, Notary Public. My Commission expires Jan. 10, 1946. (Seal.)

AFFIDAVIT OF MARSHALL FIELD

STATE OF ILLINOIS,
County of Cook, ss.:

Marshall Field, being duly sworn, deposes and says:

I am the founder and owner of The Chicago Sun. I took an active part in the organization of the paper and have since been active in the management of the policies of The Chicago Sun (herein called The Sun) and in the conduct of the affairs of the paper—editorial, circulation, administration, financial.

The Sun began publication on December 4, 1941. Several months earlier, Mr. Silliman Evans (the publisher of the Nashville Tennessean, and now also publisher of The Sun) and I began planning for the publication of The Sun. In the summer of 1941 he and I discussed the getting together of the staff, the news services, the photographic services and other details connected with the organization of the paper. At that time we talked about the importance of the [fol. 1331] news and photographic services of The Associated Press (herein called AP) to the projected newspaper, and we canvassed the possibilities of obtaining AP membership by applying therefor or by the purchase of the morning AP membership of the Chicago Herald-American.

On September 24, I wrote Mr. Robert McLean, President of AP, applying for membership therein and for the news service and wirephoto service of AP for the paper which I contemplated publishing. (A copy of the letter dated September 24, 1941, is marked Exhibit 1 and attached hereto.) On September 26, 1941, I signed a formal application for membership designating Mr. Evans as representative of the newspaper. (Exhibit 2, attached hereto, is a copy.)

On October 2, 1941, we were informed by Mr. Lloyd Stratton, Assistant Secretary of AP, that the application had been laid before the Board of Directors, that membership interests of other Chicago members were involved and that, since they had not waived their protest rights, my application must, under the bylaws, be referred to the next annual meeting of the members of AP to be held in New York on April 20, 1942. (A copy of the Stratton letter marked Exhibit 3 is attached hereto.)

When I received Mr. Stratton's letter, I wrote Mr. Kent Cooper, Vice President and General Manager of AP, a letter. In that letter (a copy of which marked Exhibit 4 is annexed hereto) I stated to Mr. Cooper that Mr. Stratton's letter seemed to me to "defer any possibility of my becoming a member of The Associated Press until after April 20, 1942." I added: "In view of the fact that I propose to begin publication of the new paper within the next few weeks, such a delay entails the most serious consequences. To begin publication and to seek the support of the public without the benefit of Associated Press facilities is perhaps to risk the entire future of the enterprise since the initial reader reaction to a newspaper may well be determinative of its situation over a long period. Moreover, when I announced the publication of this paper I led the people of Chicago to believe that it would be in all respects a standard and complete newspaper; my performance cannot and must [fol. 1332] not fall short of my promise. Finally, the postponement of action on the application until April 1942 may well constitute more than a postponement; there is no assurance under your bylaws, as I understand them, that I will be elected to membership at that time and consequently I cannot at the outset or at any time assure my readers that in due course the paper will have the benefit of all the standard press services available to other papers. It is these factors, among others, which have been causing me such grave concern."

In the meantime I had been informed by Mr. Evans of negotiations between him and Mr. Gortatowsky, who was Mr. Heart's representative in New York, concerning the purchase of the morning AP membership in Chicago held by the Hearst interest, and used, as I then understood, only on Sundays.

On November 15, 1941, in the light of prior conversations between Mr. Evans and Mr. Gortatowsky, I wrote Mr. Gortatowsky offering to purchase the Chicago Hearst morning membership in AP, and to pay therefor $250,000 in cash, and sent to Mr. McLean a copy of my letter to Mr. Gortatowsky. (A copy of my letter to Mr. Gortatowsky marked Exhibit 5 is attached hereto, and a copy of my transmittal letter to Mr. McLean marked Exhibit 6 is attached hereto.) On or about December 1, 1941, I received a letter (a copy of which marked Exhibit 7 is attached hereto) from Mr. Gortatowsky declining our proposal.

On December 3, 1941, the day before the publication of The Chicago Sun, I wrote Mr. McLean a letter (a copy of which marked Exhibit 8 is annexed) pointing out our disadvantage in operating without AP, and asking for membership at the earliest possible time. In the absence of such membership, I requested that they make available to me for the use of The Sun, the news services which I understood AP was selling to nonmember radio groups and the picture services which had theretofore been offered for sale to nonmember newspapers. To this letter I received a reply from Mr. McLean dated December 6, 1941 (a copy of which is attached as Exhibit 9) advising us that the news and picture services were not available.

[fol. 1333] When I found that we could get no assurances that I would be elected to membership in AP, I filed a complaint with the Attorney General dated February 5, 1942.

On January 28, 1942, Mr. McLean wrote to Mr. Evans, in response to an inquiry from Mr. Evans, informing us that the secretary of AP was authorized to furnish us both a list of the members and the form of proxy which had theretofore been used in an effort to procure membership. (A copy of this letter, marked Exhibit 10, is attached hereto.) I and my associates sent to the members of AP a letter soliciting their proxies. (A copy of this form letter marked Exhibit 11, dated March 5, 1942, is attached hereto.)

I sent a copy of this form letter to Mr. Stratton, Assistant General Manager of AP, with a covering letter dated March

7, 1942. (A copy of the letter is marked Exhibit 12 and attached hereto.)

When I first discussed with Mr. Evans the publication of The Sun, I was acquainted with the newspicture field;—for some time prior thereto I had owned the publication PM, a New York newspaper which features picture news, and I had been in close touch with the affairs of PM.

During the period immediately preceding the publication of The Sun there were three major picture services; AP Wirephoto, International News Pictures and Acme Newspictures. Prior to July 1941 there had been a fourth—Wide World Photos, Inc., which was taken over by AP. PM had a contract with Wide World.

My associates and I, in addition to our efforts to get AP membership, tried to obtain service from the major photographic news agencies. Thus, on December 8, 1941, having been informed that Wide World service was still serving certain newspapers, I applied to AP for Wide World service for The Chicago Sun. (A copy of the application marked Exhibit 13, is attached hereto.) AP refused us this service in a letter dated December 11, 1941. (A copy of this letter marked Exhibit 14, is attached hereto.) We attempted to obtain service from Acme Newspictures but I was informed that we were unable to do so because Acme was under exclusive contract arrangements with The Chicago Tribune. [fol. 1334] My associates were instructed to negotiate with International News Pictures. I was later informed by Mr. Rex Smith, then Editor of The Sun, that he had attempted to obtain a contract only to be informed that they could not deal with us because of exclusive arrangements with the Hearst papers.

On September 29, 1941, Mr. Evans and I signed a contract with United Press Associations (herein called UP) for its news report service.

In preparation for publication of The Sun, faced, as we were, with the lack of AP service, we were compelled to contract for other services and to arrange for various correspondents. An enumeration of some of the services contracted for, and extra correspondents employed, is contained in Exhibit A attached to the affidavit of John J. Padulo verified May 7, 1943.

Lacking a contract with AP or any major photographic service, we set up our own wirephoto service and installed

photographic bureaus in various places in the country. We also bought pictures from minor services. Details of these transactions are given in the affidavit of Mr. Mautner, verified May 7, 1943.

We found when we sought to obtain correspondents, both in the news field and in the photographic field, that a large number of skilled men were not available to us because they were connected with AP newspapers. Details of this are given in the affidavits of Mr. Mautner and Mr. Barry, verified May 7, 1943.

From the figures furnished to me in the affidavit of John J. Padulo, it appears that during the year 1942; the charges incurred by The Sun under the United Press contracts came to within a few hundred dollars of $110,000; the charges paid for photographic news—not including expenses in connection with photographs made by the Chicago photographic department of The Sun—exceeded $63,000. In addition to these items, The Sun in the year 1942 paid for news services, extra services, bureaus, correspondents, and other expenditures detailed in the affidavit of Mr. Padulo, a sum in excess of $425,000. Some of these expenditures would have been incurred whether or not AP services had been available to [fol. 1335] The Sun but a major part of these expenditures could have been dispensed with if The Sun had been able to procure the services of AP. These figures, with the exception of a portion of the telegraph and cable charges, do not include any expenses of the Chicago office of The Sun or any general overhead expenses, or make any allowance for time devoted by the staff to overcoming handicaps due to absence of AP service.

Much of the energies and imagination of the staff have had to be consumed in equalizing deficiencies due to our not having the coverage furnished as a matter of routine by AP to its members. These deficiencies threw extra burdens upon the sports department, the financial department, the national domestic news department, the regional news department and the news pictures department, as is shown in the affidavits of the respective heads of these departments (Brown, Mautner, Dargon, Smucker, Barry), verified May 7, 1943. This diversion of time and energy, as well as the expenditure of large additional sums of money, which resulted from our inability to obtain AP service, were among

the obstacles which my associates and I had to overcome in providing Chicago with a standard morning newspaper.

The Chicago Sun regularly obtains news reports from bureaus and correspondents from different parts of the United States and foreign countries, and regularly sells and transmits its newspaper from the State of Illinois to purchasers in other states of the United States.

(Sgd.) Marshall Field.

Sworn to before me this 13th day of May, 1943. Gesine Heller, Notary Public. Queens Co. No. 982. Queens County Register's No. 842. Cert. Filed in New York Co. No. 434, New York County Register's No. 4H230. Commission expires March 30, 1944. (Seal.)

[fol. 1336] EXHIBIT No. 1

This document has been omitted in printing.

EXHIBIT No. 2

This document has been omitted in printing.

EXHIBIT No. 3

This document has been omitted in printing.

EXHIBIT No. 4

This document has been omitted in printing.

[Exhibit 5 Omitted. See exhibit "C" printed side page 1197 ante]

[fol. 1337] EXHIBIT No. 6

November 15, 1941.

Mr. Robert McLean, President, Associated Press, Philadelphia Bulletin, Philadelphia, Pa.

DEAR MR. MCLEAN: The attached carbon copy of my letter to Mr. Gortatowsky will be self-explanatory.

In view of your interest I wished to advise you of the offer I am making.

With kindest regards,

Yours sincerely,

(Signed) Marshall Field.

[fol. 1338] EXHIBIT No. 7

MR. MARSHALL FIELD: Acknowledging your letter of November 15, this is to advise you that the proposal you have made to purchase our morning and Sunday Associated Press membership in Chicago is unacceptable.

I should like to express to you my disagreement with the opinions you have given with respect to the various phases of this matter. It would serve no useful purpose to go into detail.

I should also like to say most emphatically that I never at any time said to Mr. Evans or to anyone else that I had been authorized by Mr. Hearst or by anyone else to negotiate the sale of our Associated Press membership.

Sincerely yours,

(Sgd.) J. C. Gortatowsky.

EXHIBIT No. 8

December 3, 1941.

Mr. Robert McLean, President of The Associated Press, c/o The Bulletin, Philadelphia, Pa.

DEAR MR. MCLEAN: May I advise you formally that my paper, The Chicago Sun, intends to commence publication tomorrow, December 4.

As you know we have been unable, despite every reasonable effort on our part, to secure membership in the Associated Press. As a consequence of that we are at a great

disadvantage in publishing the paper both as regards procuring complete news coverage and in the matter of pictures. In the circumstances, and in order to enable me to give to the people of Chicago the newspaper which they have the right to expect of me, I hereby request (a) that you take such steps as may be necessary to accord me membership in the Associated Press at the earliest possible time, and (b) that, as a matter of expediency in the absence of an Associated Press membership, you make available to me at appropriate and equitable rates, for the use of The Chicago Sun, the news services which you are now selling to nonmember radio groups and the picture services which you have heretofore [fol. 1339] offered for sale to nonmember newspapers.

I need hardly add that each day's delay in regard to the foregoing causes damage to me and to The Chicago Sun.

Very truly yours,

(Signed) Marshall Field.

EXHIBIT No. 9

December 6, 1941.

Via Airmail.

Mr. Marshall Field, The Chicago Sun, 400 West Madison Street, Chicago, Illinois.

DEAR MR. FIELD: Replying to your letter of December 3rd and the inquiry therein under (a), I wish to assure you that your application for membership in The Associated Press will be given the earliest consideration in accordance with the appropriate procedure provided in the By-Laws. This procedure, as you will recall, was outlined to you at the time you and Mr. Evans sat with the Executive Committee on November 7th.

As to your inquiry under (b), provisions of the By-Laws do not permit the use in newspaper publication by nonmembers of the news services supplied to radio stations for broadcast purposes.

In reply to your inquiry concerning picture services, it is necessary for me to state that picture services have at no time been offered by The Associated Press for sale to nonmember newspapers. This also is controlled by provisions of the By-Laws.

Assuring you of my desire to be of assistance.

Yours very truly,

(Signed) Robert McLean.

EXHIBIT No. 10

This document has been omitted in printing.

[fol. 1340] EXHIBIT No. 11

This document has been omitted in printing.

EXHIBIT No. 12

MARSHALL FIELD

400 West Madison Street
Chicago

March 7, 1942.

Mr. Lloyd Stratton, Assistant General Manager, The Associated Press, 50 Rockefeller Plaza, New York, N. Y.

DEAR MR. STRATTON: You will find enclosed a letter, which I have sent to the members of The Associated Press, and the proxy in the form which you sent me. I have attempted to comply with all the rules, regulations, and practices of The Associated Press, both in the application for membership and in the proxy solicitation.

You, as secretary of The Associated Press, are familiar with the application and the proxy forms. As you know, I am not a member of The Associated Press and I realize that you have authority only to pass on the form, but may I ask if I have entirely complied with the rules and regulations, and if my application is now in the proper and legal form?

Sincerely, (Signed.) Marshall Field.

Enclosure.

EXHIBIT No. 13

This document has been omitted in printing.

[fol. 1341] EXHIBIT No. 14

THE ASSOCIATED PRESS

General Office
50 Rockefeller Plaza, New York City

December 11, 1941.

Air Mail.

Mr. Marshall Field, The Chicago Sun, 400 West Madison St., Chicago, Illinois.

DEAR MR. FIELD: Replying to your inquiry of December 8, the Wirephoto service of The Associated Press has been supplied only to members of The Associated Press and, so far as I am able to determine, has never at any time been offered to anyone other than a member.

At the time of the purchase of The Times-Wide World, the supplying of photographs to other than members was discontinued except in the case of commitments which Wide World is obligated to fulfill until their expiration.

Very truly yours, (Signed.) Robert McLean.

AFFIDAVIT OF ERNEST VON HARTZ, President

STATE OF ILLINOIS,
County of Cook, ss:

Ernest von Hartz, being duly sworn, deposes and says:

I am the foreign news editor of the Chicago Sun. I handle all the news that carries a foreign date line, including Canada. I also edit all news from Washington that has to do with foreign affairs and foreign policy as well as the news of the Army and Navy Departments insofar as it relates to our troops overseas.

I joined the staff of the Baltimore Sun in 1926 as a reporter. I became cable editor in 1931 which post I held until 1935. In October 1935 I joined the foreign desk of the New York Times. I left the New York Times in April 1941 to join the press section of the Bureau of Public Relations of the War Department as assistant to Col. Grogan. Later, I transferred to the Office of Emergency [fol. 1342] Management, where I was in charge of the press

section of the Production Division of OPM. I came to the Sun on November 24, 1941.

The Baltimore Sun and the New York Times both have Associated Press (herein called AP) service. I am familiar with the services furnished by the AP and by the United Press (herein called UP) in the field of foreign news. In my opinion, in order to furnish a thoroughly comprehensive foreign news service, a metropolitan daily newspaper should have access to the foreign news report of both services. The New York Times and the New York Herald Tribune have access to both and so have most of the leading morning and afternoon newspapers in the United States.

In general, the AP foreign service is more comprehensive and gives better coverage on secondary stories. Gaps that are left open in the UP service are frequently filled in by the AP report. AP also provides more background material.

The AP also furnishes a map service for morning newspapers. This service provides, through wirephoto, maps of regions featured in the news. No similar service is furnished by UP. The Sun prepares its own maps. The Sun could save a considerable amount of time if AP maps were available for use in connection with many current news stories.

AP has as one of its sources the foreign news service of Reuter and it furnishes to its members news received from Reuter, as well as from its other news-collecting sources. UP does not carry the Reuter news reports. To obtain this auxiliary service the Sun subscribe to Reuter and thus obtains items that it does not receive, or receive in time, from the UP.

The UP news service has on several occasions come through with foreign stories that have scooped the AP. There have been, however, many occasions, since the Sun started publication, in which important items were carried by the AP that were not available to the Sun through the UP or any of its auxiliary services. Outstanding "exclusives" of the AP that appeared in the Chicago Tribune and not the Sun follow:

1. Clark Lee's articles of the Bataan fighting, many of them eye-witness stories, appearing in the Chicago Tribune

under dates of January 19, 25, 27, February 8, 10, 16, 17, 21, 23, 25, April 9, 24, 1942.

[fol. 1343] One of these stories was an "exclusive" about Captain Wermuth, Chicago's "one man army." Captain Wermuth was credited with killing 116 Japanese. This was a story of considerable interest in Chicago, since Wermuth was a Chicagoan. Lee reported this story from Bataan some days before it was available to the United Press.

2. Larry Allen's eye-witness story of the sinking of the Battleship *Barham*, January 30, 1942.

3. The Associated Press advertised "First with the Facts from Inside the Axis," referring to the Lochner, Steinkopf, Massok, and other homeward-bound stories. These were the stories of AP correspondents interned in Germany and Italy after we went into the war. The Lochner story was especially featured by AP as an important beat.

4. The Yates Daniels' stories on the battle for and the fall of Singapore. These stories, featured by the AP advertising, were not available to the Sun.

5. The Preston Grover interview with Gandhi.

6. The stories on September 24 and September 30 by Verne Haughland who was lost in the jungles of New Guinea for six weeks. They were topped by the award to him of the U. S. Army Silver Star by General MacArthur.

7. The story of Dean Shedler of the final fight on, and surrender of, Bataan in April 1942.

8. The Corregidor locale story on March 28, 1942.

The following are instances in which through our subscription to Reuter we obtained items carried by AP, but which were not carried by UP until later:

1. The landing of the U. S. troops in Liberia in mid-October.

2. The quotation from the Berlin radio on December 12 to the effect that the British Eighth Army under Montgomery had renewed its offensive.

3. A speech of Laval on or about November 20, 1942, the sensational features of which were furnished by Reuter but not by UP until a later edition.

Some of the differences between AP and UP as to foreign news have been eliminated since the Government's adoption of pooling and censorship regulations. Thus, in the case of the Cassidy correspondence with Stalin, AP [fol. 1344] letters were made available to UP. However, in the case of the second of the Cassidy letters we were not furnished a copy by UP until we telephoned to UP in New York and requested a copy.

(Sgd.) Ernest von Hartz.

Sworn to before me this 7th day of May 1943. Ruth Herman, Notary Public. (Seal.) My Commission expires Jan. 10, 1946.

AFFIDAVIT OF GUY RAYNOR HILL

CITY OF WASHINGTON,
District of Columbia, ss:

Guy Raynor Hill, being duly sworn, deposes and says:

That he is an economist and statistician; that he has been employed continuously in this capacity by the Department of Justice since July 1936; that he has examined the affidavits executed on May 12, and May 14, 1943, by Edwin Moss Williams, the deposition of Joseph V. Connolly, Exhibit F attached to the complaint in the case *United States* v. *The Associated Press* and the Answers of The Associated Press to Interrogatories Nos. 23, 24, 29, 31, and 32 in the same case; that he has examined the preliminary drafts of the exhibits attached to the affidavit of Alfred McClung Lee and that he has examined this affidavit as executed on May 22, 1943; that on the basis of his examination of the documents listed above he has prepared comparative statements covering The Associated Press, United Press Associations, and the International News Service department of King Features Syndicate, Inc., hereinafter referred to as AP, UP, and INS, respectively; with reference to (a) the number of all full time editorial employees at the various bureaus located in continental United States and (b) the number and compensation of string correspondents employed in continental United States; that he has prepared a compara-

tive statement of the hours during which the various AP and UP bureaus located in continental United States were normally open for the collection of news, as of August 1942, as indicated by the normal working hours of full time editorial employees; and that he has prepared maps and tabulations showing the number and location of English language daily newspapers published in continental United [Vol. 1345] States, which, as of 1942, (a) were regular members of AP, (b) were not regular members of AP and were obligated by contract to furnish their local news to UP and (c) were not regular members of AP and were obligated by contract to furnish their local news to INS.

Exhibit A, which is attached hereto and made a part hereof, is a comparative statement for AP, UP and INS of the number of full time editorial employees, as of August 1942. In summary, this exhibit shows that the total number of full time editorial employees for AP, UP and INS was 713, 461, and 142, respectively. Exhibit A is a recapitulation of data appearing in the Answer of AP to Interrogatory No. 29, the Connolly deposition, the Williams affidavit dated May 14, 1943 and Exhibit F (1) of the Williams affidavit dated May 12, 1943. The Answer of AP to Interrogatory No. 29 indicates that there were in fact 95 domestic AP bureaus as of August 1942. However, three of these bureaus (located at Atlantic City, New Jersey, Tuscon, Arizona and Fresno, California) have not been included in Exhibit A because each was discontinued by AP in September 1942. Prior to September 1942, each of these bureaus had one full time correspondent. As of August 1942, UP had 61 domestic bureaus but no full time editorial personnel was assigned to the bureau at Norfolk, Virginia. As of August 1942, INS had 31 domestic bureaus, but no full time editorial personnel was assigned to the bureaus located at Little Rock, Arkansas, and Tulsa, Oklahoma. UP editorial employees are reported in the Williams affidavit dated May 12, 1943, for the eleven largest UP domestic bureaus and for 49 other UP domestic bureaus for each of the seven regions of the United States in which these bureaus were located. The Williams affidavit dated May 14, 1943, indicates that at each of 17 of these bureaus, included in the regional totals, the sole editorial employee was a "manager." Exhibit A has been constructed in such form as to designate which UP bureaus as well as

AP and INS bureaus had only one full time editorial employee. A summary comparison on this basis is as follows:

	AP	*UP*	*INS*
More than one full time editorial employee	73	43	21
Only one full time editorial employee	19	17	8
	92	60	29

[fol. 1346] Of the 17 domestic bureau points at each of which UP had only one full time editorial employee, 12 were also points at which AP maintained a bureau. The aggregate number of full time AP editorial employees at these 12 points was 42, and these employees were distributed among the various bureaus as follows:

1 AP bureau had 9 editorial employees.
1 AP bureau had 6 editorial employees.
1 AP bureau had 5 editorial employees.
1 AP bureau had 4 editorial employees.
4 AP bureaus had 3 editorial employees.
2 AP bureaus had 2 editorial employees.
2 AP bureaus had 1 editorial employee.

Of the 19 domestic bureau points at which AP had only one editorial employee, two are also points at which UP maintained a bureau, and at each of these two points there was only one full time UP editorial employee.

The Answer of AP to Interrogatory No. 29, the Williams affidavit dated May 12, 1943, and the Connolly deposition give data regarding both editorial and other employees. In arriving at the statement of full time editorial employees set forth in Exhibit A, I have excluded executive managerial employees (other than bureau managers), photographers, newsphoto editors, mat editors, dark room workers, artists, wirephoto machine operators, office boys, messengers, clerical staff, teletype operators and other traffic, clerical or photographic employees.

As of August 1942, AP had agreements with 2,766 string correspondents in continental United States. The corresponding numbers of string correspondents with whom UP and INS had agreements, as of August 1942, were 2,088 and 1,864 respectively. The aggregate compensation paid

to string correspondents in continental United States during the year 1942 was $74,217.06 for UP and $25,743.89 for INS. These payments are equivalent to an average annual amount per string correspondent of $35.54 for UP and $13.81 for INS. The aggregate compensation paid by AP, during the year 1942, to all string correspondents, string photographers and other part-time workers was $205,929.91. As of August 1942, AP had arrangements with a total of 2,992 part-time workers, and on this basis the average annual payment per part-time worker (i. e. string correspond-
[fol. 1347] ent, string photographer, etc.) was $68.83.

Exhibit B-1, attached hereto and made a part hereof, is a tabulation showing, as of August 1942, for 92 AP domestic bureaus and for 43 UP domestic bureaus, the customary hours of the day during which one or more editorial employees were on duty. The information available with reference to customary hours of work of UP editorial employees is exclusive of the hours worked by bureau managers; and comparisons in Exhibit B-1 between the customary hours when AP and UP editorial employees were on duty at each of the various bureaus, are subject to this limitation. The hours of UP bureau managers are said to be irregular, and each manager is said to be "responsible for news coverage twenty-four hours of each day." (See Williams affidavit, dated May 14, 1943.) In addition to the 43 UP bureaus previously noted, Exhibits B-1 lists 17 other UP bureaus at each of which the sole editorial employee was a "manager"; these 17 bureaus are designated by asterisks in Exhibit B-1. The range of hours during which one or more editorial employees were customarily on duty at each of 92 AP domestic bureaus has been computed on the basis of the Answer of AP to Interrogatory No. 29. This Answer has been modified with reference to the AP bureau at Albuquerque, New Mexico, because of what appears to be a typographical error. The Answer states that the customary hours of the night editor were from 4:00 P. M. to 12:30 P. M.; in the preparation of Exhibit B-1, the customary hours of this employee have been assumed to be 4:00 P. M. to 12:30 A. M.

The distribution of AP and UP bureaus, set forth in Exhibit B-1, according to the number of hours of the day during which each bureau had one or more editorial employees on duty is as follows:

Number of hours	Number of bureaus AP	UP
Irregular hours	—	17
Less than 10 hours	25	10
10 hours and over, but less than 14 hours	13	6
14 hours and over, but less than 18 hours	15	8
18 hours and over, but less than 20 hours	14	8
20 hours and over, but less than 24 hours	10	3
24 hours	15	8
Total	92	60

[fol. 1348] As of August 1942, AP and UP had domestic bureaus at 54 common points; the hours, during which one or more editorial employees were normally on duty, were substantially the same for both AP and UP at eight of these points; at five common bureau points, namely, Los Angeles, Sacramento, and San Diego, California; Pittsburgh, Pennsylvania; and Indianapolis, Indiana; UP bureaus had one or more editorial employees on duty for a longer period of time than did the AP bureaus located in the same cities; but at 29 other common bureau points the situation was reversed. Precise comparison of hours is impossible, on the basis of available data, at 12 other common bureau points because no regular hours are reported for UP editorial employees stationed at these points.

Exhibit B-2, attached hereto and made a part hereof, is a tabulation showing, as of August 1942, the number of AP and UP domestic bureaus normally having one or more editorial employees on duty at any time between the hours of 7:00 P. M. and 6:00 A. M. arranged according to a schedule of closing hours, after which no editorial employees were on duty. AP had 16 bureaus and UP had 8 bureaus at which one or more editorial employees were on duty throughout the entire range of hours from 7:00 P. M. to 6:00 A. M. A summary of the number of AP and UP domestic bureaus which were "open" in the sense that one or more editorial employees were on duty, after specified hours, is as follows:

	AP	UP
After 9:00 P. M.	56	28
After 10:00 P M	54	24
After Midnight	49	21

	AP	UP
After 1:00 A M.	39	12
After 2:00 A M	27	8

Exhibit B-2 does not give effect to the early opening hours of certain UP bureaus. As of August 1942, one or more editorial employees customarily reported for work before 6:00 A. M. at the following UP bureaus:

Indianapolis, Ind.	3:00 A. M.
Pittsburgh, Pa.	4:00 A. M.
Philadelphia, Pa.	5:30 A. M.
Omaha, Nebr.	4:30 A. M.
Atlanta, Ga.	5:30 A. M.

[fol. 1349] Exhibit C-1, attached hereto and made a part hereof, is a map showing the location of all morning daily English language newspapers, published in continental United States, which were regular members of AP as of March 1942. This map is based upon Exhibit No. 1 of the Lee affidavit and includes all newspapers appearing in that exhibit except two newspapers which were associate members of AP and five newspapers (covered by footnotes 4 and 7 of the Exhibit) which, despite the fact that they had morning memberships in AP, were listed as evening papers in the standard sources such as *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942*, and *Standard Rate & Data Service: Newspaper Section*, December 1941. Exhibit C-1 shows newspapers according to symbols which represent three broad average daily 1941 circulation categories, namely: less than 10,000, 10,000 to 50,000, and over 50,000. The circulation data used for purposes of this classification are those appearing in Exhibit No. 1 of the Lee affidavit.

Exhibit C-2, attached hereto and made a part hereof, is a map showing the location of all morning daily English language newspapers, published in continental United States, which, as of March 1942, were not regular members of AP and were obligated by contract with UP, as of August 1942, to furnish their local news to UP. This map is based upon Exhibit D of the Williams affidavit, executed May 12, 1943. Exhibit C-2 shows newspapers according to the same broad 1941 circulation categories used in Exhibit C-1, and the

sources of the circulation data are the standard references listed in the preceding paragraph.

Exhibit C-3, attached hereto and made a part hereof, is a tabular analysis, by states, showing the distribution of the morning newspapers covered in Exhibits C-1 and C-2. As set forth in Exhibit C-3, a total of 52 morning newspapers, not regular members of AP, were obligated by contract with UP to furnish their local news to UP, and of this total only three newspapers had an average daily circulation in excess of 50,000 and only eleven newspapers had an average daily circulation in excess of 10,000. In 23 states, no morning newspaper, not a regular member of AP, was obligated to [fol. 1350] furnish its local news to UP, and in each of 16 states and the District of Columbia, only one morning newspaper, not a regular member of AP, was so obligated. Of the 296 AP morning newspapers shown in Exhibit C-3, 64 had an average daily circulation in excess of 50,000 and 190 had an average daily circulation in excess of 10,000. In only two states, Nevada and Wyoming, were there no morning newspapers which were regular members of AP.

The Connolly deposition sets forth a list of newspapers which were obligated, as of August 1, 1942, to furnish their local news to INS. Only three of the newspapers on this list were morning papers, and each of these had an average daily circulation, in 1941, of less than 10,000. The names and location of these morning newspapers are as follows:

Times—Fort Lauderdale, Fla.
Times-Gazette—Union City, Ind.
News—Eugene, Oreg.

My sources of information for classifying the list of papers set forth in the Connolly deposition have been *Editor & Publisher's* "1942 International Year Book Number" and N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942.*

Exhibit C-4, attached hereto and made a part hereof, shows the distribution, by states, of evening daily English language newspapers published in continental United States which (a) were regular members of AP as of March 1942, (b) were not regular members of AP and were obligated, as of August 1942, to furnish their local news to UP and (c) were not regular members of AP and were obligated, as of August 1942, to furnish their local news to INS. In addi-

tion to the geographical distribution data this exhibit also classifies these newspapers according to the broad 1941 circulation categories used in Exhibit C-3. Exhibit C-4 is based upon the Connolly deposition, Exhibit D of the Williams affidavit, executed May 12, 1943, and Exhibit No. 2 of the Lee affidavit. The number of AP evening papers shown in Exhibit C-4 is the same as that shown in Exhibit No. 2 of the Lee affidavit, after deduction of associate members of AP and deduction of eight newspapers for which no circulation data are given in the latter exhibit.

As set forth in Exhibit C-4, a total of 408 evening English language newspapers, not regular members of AP, were [fol. 1351] obligated by contract with UP to furnish their local news to UP, and of this total, 24 newspapers had an average daily circulation in excess of 50,000, and 73 newspapers had an average daily circulation in excess of 10,000. Seventy-one newspapers, not regular members of AP, were similarly obligated to furnish their local news to INS, and of this total, only two newspapers had an average daily circulation in excess of 50,000, and only twelve newspapers had an average daily circulation in excess of 10,000. The circulation data for UP and INS papers are based upon *Editor & Publisher's* "1942 International Year Book Number" and N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942.*

Exhibit C-4 also covers a total of 869 evening newspapers which were regular members of AP. Of this total, 69 newspapers had an average daily circulation in excess of 50,000, and 334 newspapers had an average daily circulation in excess of 10,000.

(S.) Guy Raynor Hill.

Subscribed and sworn to before me this 24th day of May 1943. (S.) Beryl E. Lewis, Notary Public. My commission expires June 1, 1946.

EXHIBIT A

AP, UP, AND INS

Comparative Statement, As of August 1942, of the Number of Full Time Editorial Employees at the Various Domestic Bureaus.

Number of editorial employees AP	Location of bureau	Number of editorial employees UP	INS
161	New York, N. Y.	153	37
78	Washington, D. C.	58	27
12	Philadelphia, Pa.	10	3
22	Boston, Mass.	9	7
7	Pittsburgh, Pa.	8	2
9	Albany, N. Y.	15	1
4	Buffalo, N. Y.		...
5	Harrisburg, Pa.		4
...	Hartford, Conn.	...	1
7	New Haven, Conn.	...	...
[fol. 1352]			
1	Augusta, Maine	...	...
5	Portland, Maine	...	...
1	Rochester, N. Y.	...	...
1	Syracuse, N. Y.	...	...
10	Newark, N. J.	...	...
4	Trenton, N. J.	...	...
2	Annapolis, Md.	...	...
9	Baltimore, Md.	...	...
338	Sub total Eastern Region	253	82
22	Atlanta, Ga.	9	4
4	Raleigh, N. C.	11	...
4	Miami, Fla.		...
3	Memphis, Tenn.		...
7	New Orleans, La.		1
9	Richmond, Va.	1	...
3	Columbia, S. C.	1	...
4	Jacksonville, Fla.	1	...
5	Nashville, Tenn.	1	...
3	Birmingham, Ala.	1	...
2	Montgomery, Ala.		1
1	Norfolk, Va.	(*)	...
8	Charlotte, N. C.	...	...
2	Tallahassee, Fla.	...	...
1	Chattanooga, Tenn.	...	...
1	Knoxville, Tenn.	...	...
1	Jackson, Miss.	...	...
1	Baton Rouge, La.	...	...
81	Sub total: Southeastern Region	25	6
5	Cleveland, Ohio	23	2
13	Columbus, Ohio		5
5	Charleston, W. Va.		...
11	Detroit, Mich.		3
3	Lansing, Mich.		...
...	Ft. Wayne, Ind.	1	...
3	Cincinnati, Ohio	...	...
2	Huntington, W. Va.	...	...
1	Grand Rapids, Mich.	...	...
1	Battle Creek, Mich.	...	...
1	Ann Arbor, Mich.	...	...
7	Louisville, Ky.	...	...
2	Lexington, Ky.	...	...
2	Frankfort, Ky.	...	...
56	Subtotal: Great Lakes Region	24	5

* No full-time editorial employees are reported for the UP Bureau at Norfolk.

Number of editorial employees AP	Location of bureau	Number of editorial employees UP	Number of editorial employees INS
30	Chicago, Ill.	33	16
2	Springfield, Ill.		2
8	Indianapolis, Ind.		3
6	Milwaukee, Wis.		...
3	Madison, Wis.	37	...
5	Omaha, Nebr.		2
2	Lincoln, Nebr.		...
7	Des Moines, Iowa		1
9	Minneapolis, Minn.		...
[fol. 1353]			
...	Herrin, Ill.	1	...
1	Centralia, Ill.	...	...
1	Davenport, Iowa	...	...
2	Bismarck, N. Dak.	...	...
1	Fargo, N. Dak.	...	...
2	Pierre, S. Dak.	...	...
1	Sioux Falls, S. Dak.	...	...
80	Subtotal: Central Region	71	24
5	St. Louis, Mo.	6	2
14	Dallas, Texas	7	2
20	Kansas City, Mo.		...
5	Little Rock, Ark.		(**)
6	Oklahoma City, Okla.	19	...
11	Denver, Colo.		4
2	Austin, Tex.		1
3	Jefferson City, Mo.	1	...
...	Houston, Tex.	1	...
2	Topeka, Kans.	...	...
4	Wichita, Kans.	...	...
2	Tulsa, Okla.	...	(**)
4	Albuquerque, N. Mex.	...	...
2	Santa Fe, N. Mex.	...	...
1	Cheyenne, Wyo.	...	...
78	Subtotal: Southwestern Region	34	10
9	Seattle, Wash.		1
5	Portland, Oreg.		2
2	Boise, Idaho	13	...
4	Salt Lake City, Utah		...
2	Spokane, Wash.	1	...
1	Olympia, Wash.	1	...
2	Salem, Oreg.	1	...
3	Helena, Mont.	1	...
1	Reno, Nev.	1	...
2	Tacoma, Wash.	...	...
31	Subtotal: Pacific Northwest Region	18	3
25	San Francisco, Calif.	15	10
13	Los Angeles, Calif.	11	6
3	Sacramento, Calif.		2
2	San Diego, Calif.	7	...
	Fresno, Calif.	1	...

** No full-time editorial employees are reported for these INS Bureaus.

Number of editorial employees AP	Location of bureau	Number of editorial employees	
		UP	INS
...	Monterey, Calif.	1	...
6	Phoenix, Ariz.	1	...
49	Subtotal: Pacific Southwest Region	36	18
	Grand total	...	...
713	Full-time editorial employees	461	148

EXHIBIT B-1

AP AND UP DOMESTIC BUREAUS

Statement, as of August 1942, of the normal range of hours during which one or more editorial employees were on duty.

AP				UP[1]		
Range of hours of editorial employees		Total hours during which one or more editorial employees were on duty	Location of bureau	Range of hours of editorial employees		Total hours during which one or more editorial employees were on duty
From—	To—			From—	To—	
		24	Boston, Mass.			24
		24	Albany, N. Y.	9:00 A. M.	1:00 A. M.	16
		24	New York, N. Y.			24
		24	Newark, N. J.		No bureau	
		24	Philadelphia, Pa.	5:30 A. M.	1:00 A. M.	19½
		24	Washington, D. C.			24
		24	Atlanta, Ga.	5:30 A. M.	1:30 A. M.	20
		24	Columbus, Ohio	6:30 A. M.	8:00 P. M.	13½
		24	Detroit, Mich.	7:00 A. M.	2:00 A. M.	19
		24	Chicago, Ill.			24
		24	St. Louis, Mo.			24
		24	Kansas City, Mo.	7:00 A. M.	1:00 A. M.	18
		24	Denver, Colo.	7:00 A. M.	1:00 A. M.	18
		24	San Francisco, Calif.			24
		24	Seattle, Wash.	6:00 A. M.	3:30 P. M.	9½
10:00 A. M.	2:00 P. M.	4	Chattanooga, Tenn.		No bureau	
7:00 A. M.	3:00 P. M.	8	Fargo, N. Dak.		No bureau	
7:00 A. M.	3:30 P. M.	8½	Centralia, Ill.		No bureau	
7:30 A. M.	4:00 P. M.	8½	Salem, Oreg.	(*)	(*)	(*)
7:30 A. M.	4:00 P. M.	8½	Sioux Falls, S. Dak.		No bureau	

8:00 A. M.	4:30 P. M.	8½	Davenport, Iowa		No bureau		
8:00 A. M.	4:30 P. M.	8½	Syracuse, N. Y.		No bureau		
8:00 A. M.	4:30 P. M.	8½	Tacoma, Wash.		No bureau		
8:30 A. M.	5:00 P. M.	8½	Wichita, Kans.		No bureau		
9:00 A. M.	5:00 P. M.	8	Knoxville, Tenn.		No bureau		
7:30 A. M.	5:00 P. M.	9½	Madison, Wis.	7:00 A. M.	3:00 P. M.	8	
8:30 A. M.	5:00 P. M.	8½	Rochester, N. Y.		No bureau		
8:30 A. M.	5:00 P. M.	8½	Olympia, Wash.	(*)	(*)	(*)	
8:00 A. M.	5:30 P. M.	9½	Springfield, Ill.	7:00 A. M.	4:10 P. M.	9¼	
8:00 A. M.	5:30 P. M.	9½	Topeka, Kans.		No bureau		
9:00 A. M.	5:30 P. M.	8½	Augusta, Maine		No bureau		
9:00 A. M.	5:30 P. M.	8½	Annapolis, Md.		No bureau		
9:00 A. M.	5:30 P. M.	8½	Battle Creek, Mich.		No bureau		
9:00 A. M.	5:30 P. M.	8½	Ann Arbor, Mich.		No bureau		
9:00 A. M.	5:30 P. M.	8½	Grand Rapids, Mich.		No bureau		
8:00 A. M.	5:30 P. M.	9½	Lincoln, Nebr.	7:00 A. M.	3:00 P. M.	8	
9:00 A. M.	5:30 P. M.	8½	Reno, Nev.	(*)	(*)	(*)	
9:00 A. M.	5:00 P. M.	8½	Norfolk, Va.	(*)	(*)	(*)	
9:00 A. M.	5:30 P. M.	8½	Cheyene, Wyo.		No bureau		
8:00 A. M.	6:00 P. M.	10	Tallahassee, Fla.		No bureau		
8:00 A. M.	6:00 P. M.	10	Bismarck, N. Dak.		No bureau		

[fol. 1355]

7:30 A. M.	6:00 P. M.	10½	Pierre, S. Dak.		No bureau		
8:00 A. M.	6:00 P. M.	10	Austin, Tex.	9:00 A. M.	5:00 P. M.	8	
9:00 A. M.	6:30 P. M.	9½	Sacramento, Calif.	6:00 A. M.	9:40 P. M.	15¾	
8:30 A. M.	6:30 P. M.	10	Frankfort, Ky.		No bureau		
8:00 A. M.	6:30 P. M.	10½	Jefferson City, Mo.	(*)	(*)	(*)	
8:00 A. M.	7:00 P. M.	11	Boise, Idaho	7:30 A. M.	3:00 P. M.	7½	
8:00 A. M.	7:00 P. M.	11	Lansing, Mich.	7:00 A. M.	3:30 P. M.	8½	
9:00 A. M.	7:00 P. M.	10	Jackson, Miss.		No bureau		
7:00 A. M.	9:00 P. M.	14	Montgomery, Ala.		No bureau		
9:00 A. M.	9:00 P. M.	12	Baton Rouge, La.		No bureau		
8:00 A. M.	9:30 P. M.	13½	Santa Fe, N. Mex.		No bureau		
8:30 A. M.	9:30 P. M.	13	Trenton, N. J.		No bureau		

See footnotes at end of table.

EXHIBIT B-1—Continued

AP				UP		
Range of hours of editorial employees		Total hours during which one or more editorial employees were on duty	Location of bureau	Range of hours of editorial employees		Total hours during which one or more editorial employees were on duty
From—	To—			From—	To—	
10:00 A. M.	11:00 P. M.	13	Lexington, Ky.	.....	No bureau	.....
8:00 A. M.	Midnight	16	Birmingham, Ala.	(*)	(*)	(*)
8:00 A. M.	Midnight	16	San Diego, Calif.	.....	.....	24
8:00 A. M.	Midnight	16	Raleigh, N. C.	11:00 A. M.	1:00 A. M.	14
8:30 A. M.	Midnight	15½	Tulsa, Okla.	.....	No bureau	.....
7:30 A. M.	12:30 A. M.	17	Phoenix, Ariz.	(*)	(*)	(*)
7:00 A. M.	12:30 A. M.	17½	Memphis, Tenn.	6:00 A. M.	4:00 P. M.	10
7:00 A. M.	12:30 A. M.	17½	Nashville, Tenn.	(*)	(*)	(*)
6:30 A. M.	12:30 A. M.	18	Albuquerque, N. Mex.	.....	No bureau	.....
8:00 A. M.	1:00 A. M.	17	Little Rock, Ark.	8:00 A. M.	3:00 P. M.	7
8:30 A. M.	1:00 A. M.	16½	Jacksonville, Fla.	(*)	(*)	(*)
5:30 A. M.	1:00 A. M.	19½	Louisville, Ky.	.....	No bureau	.....
8:30 A. M.	1:00 A. M.	16½	Helena, Mont.	(*)	(*)	(*)
7:30 A. M.	1:00 A. M.	17½	Huntington, W. Va.	.....	No bureau	.....
8:00 A. M.	1:00 A. M.	17	Spokane, Wash.	(*)	(*)	(*)
8:30 A. M.	1:30 A. M.	17	Cincinnati, Ohio	.....	No bureau	.....
8:00 A. M.	1:30 A. M.	17½	Charleston, W. Va.	11:00 A. M.	8:00 P. M.	9
6:30 A. M.	1:30 A. M.	19	Milwaukee, Wis.	7:00 A. M.	1:00 A. M.	18
7:00 A. M.	1:30 A. M.	18½	Portland, Ore.	6:00 A. M.	Midnight	18
8:00 A. M.	2:00 A. M.	18	Miami, Fla.	1:30 P. M.	1:15 A. M.	11¾
6:00 A. M.	2:00 A. M.	20	Des Moines, Iowa	7:00 A. M.	Midnight	17
7:30 A. M.	2:00 A. M.	18½	New Orleans, La.	6:00 A. M.	9:30 P. M.	15½
6:00 A. M.	2:00 A. M.	20	Baltimore, Md.	.....	No bureau	.....
7:00 A. M.	2:00 A. M.	19	Omaha, Nebr.	4:30 A. M.	10:00 A. M.	17½
6:00 A. M.	2:00 A. M.	20	Charlotte, N. C.	.....	No bureau	.....
6:30 A. M.	2:00 A. M.	19	Salt Lake City, Utah	6:00 A. M.	10:00 A. M.	16
7:00 A. M.	2:00 A. M.	19	Richmond, Va.	(*)	(*)	(*)

6:00 A. M.	2:30 A. M.	20½	Minneapolis	6:00 A. M.	Midnight	18
7:30 A. M.	2:30 A. M.	19	Buffalo, N. Y.	8:00 A. M.	1:00 A. M.	17
7:00 A. M.	2:30 A. M.	19½	Oklahoma City, Okla.	6:00 A. M.	5:00 P. M.	11
8:00 A. M.	2:30 A. M.	18½	Harrisburg, Pa.	8:00 A. M.	8:00 P. M.	12
8:00 A. M.	2:30 A. M.	18½	Columbia, S. C.	(*)	(*)	(*)
6:30 A. M.	2:30 A. M.	20	Dallas, Tex.	6:00 A. M.	7:00 P. M.	13
6:30 A. M.	3:00 A. M.	20½	Indianapolis, Ind.	3:00 A. M.	1:00 A. M.	22
7:00 A. M.	3:00 A. M.	20	Pittsburgh, Pa.	4:00 A. M.	1:15 A. M.	21¼
6:30 A. M.	3:30 A. M.	21	New Haven, Conn.		No bureau	
9:00 A. M.	3:30 A. M.	18½	Portland, Maine		No bureau	
7:30 A. M.	6:00 A. M.	22½	Los Angeles, Calif.			24

[fol. 1356]

7:15 A. M.	3:30 A. M.	20¼	Cleveland, Ohio	6:00 A. M.	12:40 A. M.	18¾
	No bureau		Monterey, Calif.	(*)	(*)	(*)
	No bureau		Fresno, Calif.	(*)	(*)	(*)
	No bureau		Herrin, Ill.	(*)	(*)	(*)
	No bureau		Fort Wayne, Ind.	(*)	(*)	(*)
	No bureau		Hartford, Conn.	7:00 A. M.	2:40 P. M.	7¾
	No bureau		Houston, Tex.	(*)	(*)	(*)

[1] Hours of employment for editorial employees, as reported for UP, do not include hours of Bureau Managers.
[2] No full time editorial employee is reported for the Norfolk, Va. bureau of UP.
[*] This bureau is staffed by a manager; his hours are irregular and he is said to be "responsible for news coverage twenty-four hours of each day." (See Affidavit of Edwin Moss Williams, dated May 14, 1943.)

Exhibit B-2

AP and UP domestic bureaus

Statement as of August 1942, of number of bureaus normally having one or more editorial employees on duty at any time between the hours of 7:00 P. M. and 6:00 A. M. arranged according to a schedule of closing hours after which no editorial employee was normally on duty.

AP

Number of bureaus with one or more editorial employees on duty after 7:00 P. M.—59:

2 bureaus "close" at 9:00 P. M.—56 bureaus remain open after 9:00 P. M.

2 bureaus "close" at 9:30 P. M.—54 bureaus remain open after 9:30 P. M.

1 bureau "closes" at 11:00 P. M.—53 bureaus remain open after 11:00 P. M.

4 bureaus "close" at Midnight—49 bureaus remain open after Midnight.

4 bureaus "close" at 12:30 A. M.—45 bureaus remain open after 12:30 A. M.

6 bureaus "close" at 1:00 A. M.—39 bureaus remain open after 1:00 A. M.

4 bureaus "close" at 1:30 A. M.—35 bureaus remain open after 1:30 A. M.

[fol. 1357] 8 bureaus "close" at 2:00 A. M.—27 bureaus remain open after 2:00 A. M.

6 bureaus "close" at 2:30 A. M.—21 bureaus remain open after 2:30 P. M.

2 bureaus "close" at 3:00 A. M.—19 bureaus remain open after 3:00 A. M.

3 bureaus "close" at 3:30 A. M.—16 bureaus remain open after 3:30 A. M.

Note.—These 16 bureaus had one or more editorial employees on duty throughout the entire period 7:00 P. M. to 6:00 A. M.

UP*

Number of bureaus with one or more editorial employees on duty after 7:00 P. M.—31:

3 bureaus "close" at 8:00 P. M.—28 bureaus remain open after 8:00 P. M.

1 bureau "closes" at 9:30 P. M.—27 bureaus remain open after 9:30 P. M.

1 bureau "closes" at 9:40 P. M.—26 bureaus remain open after 9:40 P. M.

2 bureaus "close" at 10:00 P. M.—24 bureaus remain open after 10:00 P. M.

3 bureaus "close" at Midnight—21 bureaus remain open after Midnight.

1 bureau "closes" at 12:30 A. M.—20 bureaus remain open after 12:30 A. M.

8 bureaus "close" at 1:00 A. M.—12 bureaus remain open after 1:00 A. M.

2 bureaus "close" at 1:15 A. M.—10 bureaus remain open after 1:15 A. M.

1 bureau "closes" at 1:30 A. M.—9 bureaus remain open after 1:30 A. M.

1 bureau "closes" at 2:00 A. M.—8 bureaus remain open after 2:00 A. M.

NOTE.—These 8 bureaus had one or more editorial employees on duty throughout the entire period, 7:00 P. M. to 6:00 A. M.

EXHIBIT C-1

This document has been omitted in printing.

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* This tabulation of "closing" hours and the number of bureaus remaining "open" after certain specified hours does not give effect to the early opening hours of certain UP bureaus. As of August 1942, one or more editorial employees customarily reported for work before 6:00 A. M. at the following UP bureaus:

Indianapolis, Ind.	3:00 A. M.
Pittsburgh, Pa.	4:00 A. M.
Atlanta, Ga.	5:30 A. M.
Philadelphia, Pa.	5:30 A. M.
Omaha, Nebr.	4:30 A. M.

[fol. 1358] EXHIBIT C-2

This document has been omitted in printing.

EXHIBIT C-3

Distribution of Morning Daily English Language Newspapers by States (a) Regular Members of AP, and (b) not Regular Members of AP and Obligated to Furnish Their Local News to UP.

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Alabama:				
(a) AP	2	2		4
(b) UP		1		1
Arizona:				
(a) AP	2	2		4
(b) UP				
Arkansas:				
(a) AP	2	1	1	4
(b) UP	1			1
California:				
(a) AP	8	4	4	16
(b) UP	9	2	1	12
Colorado:				
(a) AP	1	1		2
(b) UP	1	1		2
Connecticut:				
(a) AP		6		6
(b) UP				
Delaware:				
(a) AP		1		1
(b) UP				
District of Columbia:				
(a) AP			1	1
(b) UP			1	1
Florida:				
(a) AP	4	3	3	10
(b) UP	1			1
Georgia:				
(a) AP		4	1	5
(b) UP				
Idaho:				
(a) AP	4	1		5
(b) UP				
Illinois:				
(a) AP	2	4	1	7
(b) UP	1	1	1	3
Indiana:				
(a) AP	4	7	2	13
(b) UP	1			1

[fol. 1359]

Iowa:				
(a) AP	1		2	3
(b) UP				

EXHIBIT C-3—Continued

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Kansas:				
(a) AP	2	1	2	5
(b) UP	1	...	...	1
Kentucky:				
(a) AP	3	2	1	6
(b) UP	...	...	...	...
Louisiana:				
(a) AP	1	1	2	4
(b) UP	...	...	...	...
Maine:				
(a) AP	1	4	1	5
(b) UP	...	...	...	...
Maryland:				
(a) AP	3	...	1	4
(b) UP	1	...	...	1
Massachusetts:				
(a) AP	2	3	4	9
(b) UP	1	...	...	1
Michigan:				
(a) AP	3	1	1	5
(b) UP	...	...	...	...
Minnesota:				
(a) AP	1	1	2	4
(b) UP	...	...	...	...
Mississippi:				
(a) AP	2	1	...	3
(b) UP	1	...	...	1
Missouri:				
(a) AP	2	3	2	7
(b) UP	1	...	...	1
Montana:				
(a) AP	5	3	...	8
(b) UP	1	...	...	1
Nebraska:				
(a) AP	2	1	1	4
(b) UP	2	...	...	2
Nevada:				
(a) AP	...	...	...	...
(b) UP	1	...	...	1
New Hampshire:				
(a) AP	...	1	...	1
(b) UP	...	...	...	...
New Jersey:				
(a) AP	1	3	1	5
(b) UP	1	1	...	2
New Mexico:				
(a) AP	1	1	...	2
(b) UP	...	...	...	...
New York:				
(a) AP	6	6	7	19
(b) UP	3	1	...	4
North Carolina:				
(a) AP	1	4	3	8
(b) UP	1	...	...	1
[fol. 1360]				
North Dakota:				
(a) AP	...	2	...	2
(b) UP	...	...	...	...

EXHIBIT C-3—Continued

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Ohio:				
(a) AP		5	3	8
(b) UP				
Oklahoma:				
(a) AP	4	2	2	8
(b) UP				
Oregon:				
(a) AP	2		1	3
(b) UP	2			2
Pennsylvania:				
(a) AP	12	13	3	28
(b) UP	3			3
Rhode Island:				
(a) AP	1	1		2
(b) UP				
South Carolina:				
(a) AP	3	4		7
(b) UP				
South Dakota:				
(a) AP	2			2
(b) UP				
Tennessee:				
(a) AP	1	2	2	5
(b) UP	1			1
Texas:				
(a) AP	5	13	4	22
(b) UP	1			1
Utah:				
(a) AP			1	1
(b) UP	1			1
Vermont:				
(a) AP		2		2
(b) UP				
Virginia:				
(a) AP	4	4	2	10
(b) UP				
Washington:				
(a) AP	3		2	5
(b) UP	1			1
West Virginia:				
(a) AP	3	5	1	9
(b) UP				
Wisconsin:				
(a) AP		1	1	2
(b) UP				
Wyoming:				
(a) AP				
(b) UP	4	1		5
Total:				
AP	106	126	64	296
UP	41	8	3	52

[fol. 1361] EXHIBIT C-4

Distribution of Evening Daily English Language Newspapers by States (a) Regular Members of AP, (b) Not Regular Members of AP and Obligated to Furnish Their Local News to UP, and (c) Not Regular Members of AP and Obligated to Furnish Their Local News to INS.

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Alabama:				
(a) AP	8	1	1	10
(b) UP	2	1	1	4
(c) INS	...	...	...	...
Arizona:				
(a) AP	2	2	...	4
(b) UP	1	...	...	1
(c) INS	...	...	...	...
Arkansas:				
(a) AP	16	1	1	18
(b) UP	7	...	...	7
(c) INS	...	...	...	...
California:				
(a) AP	18	13	5	36
(b) UP	47	2	2	51
(c) INS	2	1	...	3
Colorado:				
(a) AP	12	1	1	14
(b) UP	8	...	...	8
(c) INS	...	...	...	...
Connecticut:				
(a) AP	7	6	2	15
(b) UP	3	2	...	5
(c) INS	...	...	...	...
Delaware:				
(a) AP	...	1	...	1
(b) UP	...	...	...	...
(c) INS	...	...	...	...
District of Columbia:				
(a) AP	...	...	1	1
(b) UP	...	...	2	2
(c) INS	...	...	...	...
Florida:				
(a) AP	18	5	...	23
(b) UP	2	...	...	2
(c) INS	1	...	...	1
Georgia:				
(a) AP	12	4	1	17
(b) UP	3	...	...	3
(c) INS	...	...	...	...
Idaho:				
(a) AP	8	...	...	8
(b) UP	1	1	...	2
(c) INS	...	...	...	...
[fol. 1362]				
Illinois:				
(a) AP	22	19	3	44
(b) UP	26	3	...	29
(c) INS	5	...	...	5

Exhibit C-4—Continued

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Indiana:				
(a) AP	15	8	3	26
(b) UP	28	3	1	32
(c) INS	8	1	...	9
Iowa:				
(a) AP	14	13	1	28
(b) UP	7	...	...	7
(c) INS	5	...	...	5
Kansas:				
(a) AP	35	3	1	39
(b) UP	1	1	...	2
(c) INS	...	...	...	...
Kentucky:				
(a) AP	13	3	1	17
(b) UP	1	...	...	1
(c) INS	1	...	...	1
Louisiana:				
(a) AP	3	4	2	9
(b) UP	1	...	...	1
(c) INS	...	...	...	...
Maine:				
(a) AP	2	3	...	5
(b) UP	...	...	...	...
(c) INS	...	...	...	...
Maryland:				
(a) AP	5	1	2	8
(b) UP	...	...	...	...
(c) INS	...	...	...	...
Massachusetts:				
(a) AP	9	12	5	26
(b) UP	2	5	...	7
(c) INS	8	...	...	8
Michigan:				
(a) AP	15	12	3	30
(b) UP	17	1	1	19
(c) INS	1	...	1	2
Minnesota:				
(a) AP	14	6	3	23
(b) UP	5	...	...	5
(c) INS	...	...	...	...
Mississippi:				
(a) AP	10	4	...	14
(b) UP	3	...	...	3
(c) INS	...	...	...	...
Missouri:				
(a) AP	21	3	2	26
(b) UP	10	1	1	12
(c) INS	...	...	...	...
Montana:				
(a) AP	7	1	...	8
(b) UP	...	...	...	...
(c) INS	...	...	...	...

[fol. 1363]

Nebraska:				
(a) AP	3	4	1	8
(b) UP	6	1	...	7
(c) INS	...	...	...	...

Exhibit C-4—Continued

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Nevada:				
(a) AP	...	1	...	1
(b) UP	6	...	...	6
(c) INS	...	...	...	...
New Hampshire:				
(a) AP	6	2	...	8
(b) UP	...	...	...	...
(c) INS	...	...	...	...
New Jersey:				
(a) AP	5	12	1	18
(b) UP	2	1	1	4
(c) INS	...	1	1	2
New Mexico:				
(a) AP	11	1	...	12
(b) UP	1	...	...	1
(c) INS	...	...	...	...
New York:				
(a) AP	27	17	7	51
(b) UP	7	6	4	17
(c) INS	2	...	...	2
North Carolina:				
(a) AP	20	8	...	28
(b) UP	4	...	...	4
(c) INS	...	...	...	...
North Dakota:				
(a) AP	7	2	...	9
(b) UP	...	...	...	...
(c) INS	...	...	...	...
Ohio:				
(a) AP	10	18	7	35
(b) UP	26	4	4	34
(c) INS	12	2	...	14
Oklahoma:				
(a) AP	17	...	2	19
(b) UP	24	...	...	24
(c) INS	...	...	...	...
Oregon:				
(a) AP	8	2	...	10
(b) UP	7	...	...	7
(c) INS	...	...	...	...
Pennsylvania:				
(a) AP	24	18	2	44
(b) UP	31	10	3	44
(c) INS	11	4	...	15
Rhode Island:				
(a) AP	2	2	1	5
(b) UP	...	...	...	...
(c) INS	1	...	...	1

[fol. 1364]

South Carolina:				
(a) AP	6	3	...	9
(b) UP	...	...	...	...
(c) INS	...	...	...	...
South Dakota:				
(a) AP	8	3	...	11
(b) UP	2	...	...	2
(c) INS	...	...	...	...

EXHIBIT C-4—Continued

State	Average daily circulation categories (number of newspapers)			Total
	Less than 10,000	10,000 to 50,000	Over 50,000	
Tennessee:				
(a) AP	11	2	1	14
(b) UP	3		2	5
(c) INS				
Texas:				
(a) AP	31	11	5	47
(b) UP	22	2	1	25
(c) INS	2	1		3
Utah:				
(a) AP		3		3
(b) UP	2			2
(c) INS				
Vermont:				
(a) AP	8			8
(b) UP				
(c) INS				
Virginia:				
(a) AP	10	7	1	18
(b) UP	3			33
(c) INS				
Washington:				
(a) AP	8	6	2	16
(b) UP	3	1	1	5
(c) INS				
West Virginia:				
(a) AP	13	3		16
(b) UP	2	2		4
(c) INS				
Wisconsin:				
(a) AP	11	13	1	25
(b) UP	9	2		11
(c) INS				
Wyoming:				
(a) AP	3	1		4
(b) UP				
(c) INS				
Total AP	535	265	69	869
Total UP	335	49	24	408
Total INS	59	10	2	71

[fol. 1365] AFFIDAVIT OF ALFRED McCLUNG LEE

STATE OF MICHIGAN,
County of Wayne, ss.:

Alfred McClung Lee, being duly sworn, deposes and says:

Since September 1, 1942, I have been Professor of Sociology and Chairman of the Department of Sociology of Wayne University at Detroit, Michigan. I was Lecturer in Sociology in 1938-1939 and Assistant Professor of Marketing in

1939-1942 at New York University; Assistant Professor of Sociology in 1937-1938 in the Institute of Human Relations, Yale University; and Assistant Professor of Journalism in 1934-1935 and Associate Professor of Sociology and Journalism in 1935-1938 at the University of Kansas. In 1931-1934 and again in 1937-1938, I was assistant editor of the New Haven *Journal-Courier*, and in 1928-1929, I was promotion manager of the Brownsville (Pa.) *Daily Telegraph*. I am author of *The Daily Newspaper in America*, published by The Macmillan Company in 1937, and co-author of *The Fine Art of Propaganda*, published by Harcourt, Brace and Company in 1939. I have also been a frequent contributor to professional journals. I hold A. B. and A. M. degrees from the University of Pittsburgh and a Ph. D. degree from Yale University. I have been since 1941 executive director of the Institute for Propaganda Analysis and since 1937 chairman of the public relations committee of the American Sociological Society. At present I am chairman of the Committee on Post-War Planning of Wayne University and chairman of the Department of Social Service, Detroit Council of the Churches of Christ.

I have prepared the statistical tabulations appearing in Exhibits Numbers 1 to 8 inclusive, which are attached to and form a part of this affidavit. Notes on these exhibits state the source or sources from which the tabulations were derived or compiled. In the case of tabulations involving classification or selection of source figures, notes on the exhibits explain the principles or methods used in such classification or selection. I explain below the character and scope of the data furnished in each exhibit and point out some of the salient facts disclosed:

Exhibit Number 1.—This gives the average circulation of newspapers, for each alternate year for the period 1921-[fol. 1366] 1939, showing sepa. ely the average circulation of (a) morning papers, (b) evening papers, (c) all dailies, and (d) Sunday papers. The exhibit shows that average circulation was highest for morning papers and for all dailies in 1939 and was highest for evening and Sunday papers in 1937 (with 1939 close to the 1937 peak and higher than in any year prior to 1937). If comparable figures for 1941 had been available, they would in my judgment have shown higher average circulation in 1941 than in 1939, in all four categories. The number of newspapers in each category

was substantially less in 1941 than in 1939, as shown by Exhibit Number 4, while the circulation trend in these years, as indicated by Exhibit Number 2, was upward.

This exhibit, read in conjunction with Exhibit Number 4, demonstrates that, accompanying a progressive decline in the number of newspapers in this country, the average circulation of the newspapers which remained in the field has increased. This is particularly marked in the case of morning newspapers. Between 1921 and 1939 the average circulation of morning papers has almost doubled. The exhibit also demonstrates that, since 1929, the circulation of morning papers has been, per paper, more than twice the circulation, per paper, of evening papers.

Exhibit Number 2.—This exhibit shows, for the years 1920, 1930, 1935, 1940, and 1942, the total circulation of newspapers, in each of the four categories covered by Exhibit Number 1. The peak year in all categories was 1942, with the rise from 1940 to 1942 substantial. The exhibit shows that, during the period covered, the increase in circulation for morning and Sunday papers has been much greater than for evening papers. Index numbers for 1942, using 1920 as the base, are 174 for morning papers, 207 for Sunday papers, and 146 for evening papers.

Exhibit Number 3.—This exhibit shows, for the years 1920, 1930, 1935, and 1940, the urban (i. e., urban area of the city of publication) and nonurban circulation of newspapers, in each case of the four categories covered by Exhibit Number 1. The exhibit demonstrates that the percentage of circulation outside the city of publication is considerably higher for morning papers than for evening papers; in [fol. 1367] other words, that morning papers serve a relatively less localized reader audience.

Exhibit Number 4.—This exhibit shows, for each year of the period 1919-1942, the total number of United States newspapers, in each of the four categories covered in Exhibit Number 1. Except for Sunday papers, the peak in each case during this period was 1919, and for Sunday papers the peak was 1925. Beginning with 1937, the number of papers in each category has declined every year, except that the number of Sunday papers, after remaining practically stationary for the years 1938-1940, declined substantially in 1941 and 1942, with the number in 1942 almost 10% less than in 1940.

Exhibit Number 5.—This exhibit shows, for the years 1899, 1909, 1919, 1929, and 1939, the number of daily newspapers in existence, by States. As to the totals for the whole country, the exhibit establishes that the peak in number of dailies was 1909 and that the number has dropped in each subsequent decade year. The exhibit also demonstrates that, apart from certain South Atlantic States, the peak came early in the older States.

Exhibit Number 6.—This exhibit shows what the 1941 circulation of AP and non-AP daily newspapers was in the morning field and in the afternoon field, in the 50 largest cities. The exhibit shows that the total circulation in these cities of morning AP papers was 11,140,590 and that the total morning circulation of non-AP papers was 620,287, of which 277,025 represents the circulation of the Chicago *Sun*. The exhibit shows that the total circulation in these cities of evening AP papers was 10,578,759 and that the total evening circulation of non-AP papers was 2,506,959.

Exhibit Number 7.—This exhibit shows, for the years 1900, 1910, 1920, 1930, 1935, 1940, and 1942, the number of morning dailies and the number of evening dailies in the 25 largest cities of this country, together with the population of the cities. It also shows, for the years 1920, 1930, 1935, 1940, and 1942, the number of ownerships in the 25 cities, treating each city as a unit in computing the number of ownerships, and the total morning circulation and evening circulation and the average morning circulation and average evening circulation.

[fol. 1368] The first page of the exhibit gives the totals for the 25 cities and also, beginning with the 1920 situation, index numbers for such totals, using 1920 as a base. The remaining pages give the same data but not the index numbers for each individual city.

The totals given on the first page of the exhibit show that the number of morning dailies, number of evening dailies, and number of separate ownerships dropped in each year covered by the exhibit, except that the number of morning papers was the same in 1940 and 1942, and that the number of evening papers increased slightly between 1900 and 1910. These figures indicate that the "consolidation period" or

"consolidation decade," sometimes discussed as being in the 1930's, cannot be restricted to such a brief period. The drop has been rather steady since 1910.

The relative drop from 1920 to 1942 is shown by the index numbers. The 1942 index number for morning papers was 76, for evening papers 70, and for number of ownerships 73. On the other hand, the 1942 index number for average morning circulation was 232 and for average evening circulation 184.

The tables for the individual cities show that in but one city in 1900 (Newark, N. J.) was the choice of papers restricted to as few as two daily newspapers, but by 1942, such a situation obtained in seven of these cities (Milwaukee, Buffalo, Newark, N. J., Kansas City, Mo., Rochester, N. Y., Denver, and Louisville). Of these seven cities, unified ownership existed in three (Kansas City, Mo., Rochester, N. Y., and Louisville). From an average of six dailies in a city in 1900, the number had declined by 1942 to a point where only two had more than five papers, and the average number in cities other than New York City and Boston was three.

With reference to morning papers in 1942, the tables for the individual cities show the following: In Detroit, Cleveland, Baltimore, St. Louis, and Pittsburgh (ranking, respectively, fourth, sixth, seventh, eighth, and tenth in size), one paper; in Chicago, Philadelphia, and Los Angeles (ranking second, third, and fifth), two papers, with one additional all-day paper in Los Angeles; in New York and Boston (ranking first and ninth), four papers; in 14 of the remaining 15 cities, one paper (with one additional all-day paper in Washington), and in San Francisco, two papers.

[fol. 1369]

Exhibit Number 8.—This exhibit shows, for the years 1920, 1930, and for each year of the period 1936-1942, the number of cities in which a daily newspaper was published, the number of cities which had only one daily paper, the number in which all dailies were under common control, and the number with competing dailies. The exhibit shows that of the cities in which a daily newspaper was published, the per cent thereof represented by cities with competing dailies was 42.5 in 1920 and 9.1 in 1942, and that, in every year covered by the tabulation, there was a drop in the percentage of cities having competing dailies. The per-

centage of one-newspaper cities was also steadily upward from 1920, when it was 56.0%, to 1942, when it was 78.4%.

(Signed) Alfred McClung Lee.

Subscribed and sworn to before me this 10th day of May 1943. Mary Ellen Hall, Notary Public. Comm. exp. Oct. 6, 1946.

EXHIBIT No. 1

Average circulation of U. S. daily and Sunday newspapers: 1921–1939*

Year	Morning	Evening	Total, daily	Sunday
1921**	18,278	11,975	13,841	38,761
1923	21,502	13,356	15,619	40,717
1925	28,342	14,344	17,678	42,931
1927	30,361	16,301	19,784	54,199
1929	34,296	16,149	20,142	50,193
1931	34,023	16,245	20,202	49,465
1933	34,169	15,547	19,774	52,053
1935	34,448	15,821	20,055	55,824
1937	34,279	16,688	20,990	61,957
1939**	36,263	16,473	21,062	60,898

* Tabulated from Census of Manufactures data of U. S. Bureau of the Census; figures for 1921–1933 from Alfred McClung Lee, The Daily Newspaper in America (Macmillan, 1937), pp. 728–9.

** Statistics prior to 1921 are not strictly comparable to those given. Statistics for 1941 are not available.

[fol. 1370]

EXHIBIT No. 2

Total circulation of U. S. daily and Sunday newspapers: 1920–1942*

Year**	Morning	Index Number	Evening	Index Number	Total daily	Index Number	Sunday	Index Number
1920	9,827,775	100	17,962,881	100	27,790,656	100	17,083,604	100
1930	14,434,257	147	25,154,915	140	39,589,172	142	26,413,047	155
1935	14,434,431	147	23,721,109	132	38,155,540	137	28,147,343	165
1940	16,114,018	164	25,017,593	139	41,131,611	148	32,371,092	196
1942	17,110,611	174	26,264,239	146	43,374,850	156	35,293,543	207

* Obtained from circulation figures reported, for the year shown in the first column, by *Editor & Publisher* "International Year Book Numbers" for 1921, 1931, 1936, 1941, and 1943. The figures include only English-language daily and Sunday newspapers of general circulation; the Sunday newspapers include both independent weeklies and the issues of daily newspapers.

** The circulation reported by *Editor & Publisher* is generally the average net paid circulation for the period April 1 to September 30 for the year shown in the first column, but the circulation reported is sometimes the average circulation for a shorter or longer period ending September 30 in such year.

EXHIBIT No. 3

Urban and nonurban circulation of U. S. daily and Sunday newspapers: 1920–1940*

Year	Morning Npp.		Evening Npp.		All dailies		Sunday papers	
	Urban** Percent	Other Percent	Urban** Percent	Other Percent	Urban** Percent	Other Percent	Urban** Percent	Other Percent
1920	52.7	47.3	67.2	32.8	61.2	38.8	49.9	50.1
1930	55.1	44.9	67.2	32.8	62.4	37.6	48.5	51.5
1935	55.7	44.3	66.6	33.4	62.4	37.6	46.1	53.9
1940	55.3	44.7	66.9	33.1	62.0	38.0	45.8	54.2

* Computed from Audit Bureau of Circulations figures for English-language daily and Sunday papers, as reported in *Editor & Publisher* "International Year Book Numbers" for 1920–21, 1931, 1936, and 1941. No tabulation of Audit Bureau of Circulations figures given in 1943 year book.

** This is the classification given by the Audit Bureau of Circulations as "City Zone." It is the circulation in the urban area of the city of publication, an area designated by the Audit Bureau of Circulations in consultation with the newspapers whose circulation the Bureau audits. It is recognized that these areas tended to expand during the period.

[fol. 1371]

EXHIBIT No. 4

Number of U. S. daily and Sunday newspapers: 1919–1942*

Year**	Morning	Evening	Total, daily	Sunday
1919	457	1,621	2,078	506
1920	437	1,605	2,042	522
1921	427	1,601	2,028	545
1922	426	1,607	2,033	546
1923	426	1,610	2,036	547
1924	420	1,585	2,005	539
1925	427	1,581	2,008	548
1926	425	1,576	2,001	545
1927	411	1,538	1,949	526
1928	397	1,542	1,939	522
1929	381	1,563	1,944	528
1930	388	1,554	1,942	521
1931	384	1,539	1,923	513
1932	380	1,533	1,913	518
1933	378	1,533	1,911	506
1934	385	1,544	1,929	505
1935	390	1,560	1,950	518
1936	405	1,584	1,989	520
1937	416	1,577	1,993	539
1938	398	1,538	1,936	523
1939	383	1,505	1,888	524
1940	380	1,498	1,878	525
1941	377	1,480	1,857	510
1942	345	1,442	1,787	474

* English-language daily and Sunday newspapers of general circulation as listed and tabulated in *Editor & Publisher* "International Year Book Numbers" for 1920–21 and 1922–1943; 1919 data from *Editor & Publisher*, 52:30 (December 25, 1919), p. 9. The Sunday newspapers are both issues of dailies and independent weeklies.

** The year given is the year for which the circulation is given in *Editor & Publisher* rather than the year when the publication carried it.

EXHIBIT No. 5

Daily newspapers in existence at decade years: 1899-1939*
[Principal peak figure for each state italicized]

State	1899	1909	1919	1929	1939
Maine	*15*	14	12	11	11
New Hampshire	*14*	(**)	(**)	11	10
Vermont	9	(**)	(**)	9	*11*
Massachusetts	*98*	86	84	74	63
Rhode Island	*12*	*12*	*12*	11	9
Connecticut	*44*	38	36	32	29
[fol. 1372]					
New York	207	*231*	214	158	140
Pennsylvania	196	*223*	201	155	146
New Jersey	49	*54*	40	38	39
Delaware	*6*	(***)	(***)	3	2
Maryland	*18*	*18*	*18*	15	13
District of Columbia	*8*	(***)	(***)	*8*	*7*
Virginia	*87*	32	31	29	30
West Virginia	19	*34*	31	31	31
North Carolina	26	31	33	37	*40*
South Carolina	7	13	*17*	16	16
Georgia	27	27	*30*	25	29
Florida	11	19	35	40	*43*
Ohio	170	*184*	165	134	120
Indiana	156	*172*	138	105	100
Illinois	*197*	194	168	120	112
Michigan	70	*87*	73	64	59
Wisconsin	60	*65*	57	53	47
Minnesota	44	42	*50*	38	38
Iowa	65	*68*	58	43	45
Missouri	*92*	91	81	61	57
North Dakota	9	(****)	(****)	*11*	*11*
South Dakota	16	(****)	(****)	14	*17*
Nebraska	32	*34*	29	24	26
Kansas	53	*78*	70	59	59
Kentucky	27	*35*	32	30	29
Tennessee	16	16	18	22	*24*
Alabama	19	*26*	24	21	20
Mississippi	13	18	14	14	*21*
Arkansas	20	29	32	33	*36*
Louisiana	*23*	*23*	17	15	17
Oklahoma	15	*67*	62	58	61
Texas	83	99	115	117	*127*
Montana	11	17	22	20	*25*
Colorado	42	*53*	44	29	33
Arizona	10	19	*20*	17	12
Nevada	9	*15*	7	9	8
Idaho	5	(*****)	(*****)	16	*19*
Wyoming	4	(*****)	(*****)	6	*13*
New Mexico	3	(*****)	(*****)	9	*18*
Utah	6	(*****)	(*****)	*8*	7
Washington	15	41	*42*	36	32
Oregon	21	31	*33*	28	24
California	117	166	168	*169*	154
Total	2,226	*2,600*	2,441	2,086	2,040

* Data from U. S. Bureau of the Census, Census of Manufactures, for 48 States and D. C., arranged by sections of the country.

** Census figures combined New Hampshire and Vermont. Together they total 22 in 1909, 25 in 1919.

*** Census figures combine Delaware and District of Columbia. Together they total 12 in 1909, 9 in 1919.

**** Census figures combine North Dakota and South Dakota. Together they total 31 in 1909, 34 in 1919.

***** Census figures combine Idaho, Wyoming, New Mexico and Utah. Together they total 33 in 1909, 40 in 1919.

[fol. 1373]

EXHIBIT No. 6

Circulation of AP and non-AP dailies in fifty cities: 1941

Place	AP morning	Non-AP morning	AP evening	Non-AP evening	AP total	Non-AP total
Fifty Cities	11,140,590	620,287	10,578,759	2,506,959	21,719,349	3,117,246
1. New York	3,571,041	81,494	1,497,721	321,986	5,068,762	403,480
2. Chicago	1,065,297	298,195	1,336,191	7,200	2,401,488	305,395
3. Philadelphia	652,901	.....	477,021	129,670	1,129,922	129,670
4. Detroit	329,682	.....	363,014	319,885	692,696	319,885
5. Los Angeles	441,445	105,430	243,924	113,400	685,369	218,830
6. Cleveland	233,640	.....	123,832	241,109	357,472	241,109
7. Baltimore	152,401	.....	352,362	.....	504,763	.....
8. St. Louis	241,606	.....	248,323	164,352	489,929	164,352
9. Boston	599,184	5,207	680,798	.....	1,279,982	5,207
10. Pittsburgh	234,202	.....	168,289	228,818	402,491	228,818
11. Washington	142,182	124,400	162,104	169,286	304,286	294,146
12. San Francisco	280,499	4,386	106,524	98,296	387,023	102,682
13. Milwaukee	125,243	.....	262,257	21,782	387,500	21,782
14. Buffalo	123,658	.....	219,907	.....	343,565	.....
15. New Orleans	133,965	.....	126,542	.....	260,507	.....
16. Minneapolis	63,610	.....	310,913	.....	374,523	.....
17. Cincinnati	127,329	.....	152,215	150,730	279,544	150,730
18. Newark, N. J.	107,521	.....	189,805	.....	297,326	.....
19. Kansas City, Mo.	308,100	.....	312,570	64,162	620,670	64,162
20. Indianapolis	132,615	1,175	162,515	92,251	295,130	93,426
21. Houston, Tex.	102,793	.....	118,941	71,063	221,734	71,063
22. Seattle, Wash.	106,108	.....	115,449	62,016	221,557	62,016
23. Rochester	85,127	.....	102,347	.....	187,474	.....
24. Denver, Colo.	44,423	.....	158,063	.....	202,486	.....
25. Louisville, Ky.	120,442	.....	133,858	.....	254,300	.....
26. Columbus, Ohio	59,197	.....	153,085	73,338	212,282	73,338
27. Portland, Oreg.	151,591	.....	147,159	.....	298,750	.....
28. Atlanta, Ga.	128,362	.....	160,729	.....	289,091	.....
[fol. 1374]						
29. Oakland, Calif.	.....	.....	88,166	48,217	88,166	48,217
30. Jersey City, N. J.	.....	.....	41,230	.....	41,230	.....

31. Dallas, Tex.	110,713	.....	102,582	17,657	213,295	17,657
32. Memphis, Tenn.	125,112	.....	96,808	.....	221,920	.....
33. St. Paul, Minn.	63,802	.....	102,010	.....	165,812	.....
34. Toledo, Ohio	25,510	.....	157,461	.....	182,971	.....
35. Birmingham, Ala.	45,801	.....	109,680	72,280	155,481	72,280
36. San Antonio, Tex.	57,819	.....	118,729	.....	176,548	.....
37. Providence, R. I.	39,198	.....	116,665	.....	155,863	.....
38. Akron, Ohio	.....	.....	107,453	.....	107,453	.....
39. Omaha, Nebr.	93,657	.....	91,975	.....	185,632	.....
40. Dayton, Ohio	29,744	.....	120,975	.....	150,719	.....
41. Syracuse, N. Y.	74,956	.....	103,637	.....	178,593	.....
42. Oklahoma City, Okla.	99,660	.....	90,744	.....	190,404	.....
43. San Diego, Calif.	32,791	.....	51,289	.....	84,080	.....
44. Worcester, Mass.	45,457	.....	88,163	.....	133,620	.....
45. Richmond, Va.	90,527	.....	83,656	.....	174,183	.....
46. Fort Worth, Tex.	96,535	.....	85,773	39,001	182,308	39,001
47. Jacksonville, Fla.	92,430	.....	47,204	.....	139,634	.....
48. Miami, Fla.	79,827	.....	46,463	.....	126,290	.....
49. Youngstown, Ohio	.....	.....	71,060	.....	71,060	.....
50. Nashville, Tenn.	72,887	.....	70,578	.....	143,465	.....

[a] Division between AP and non-AP dailies determined on the basis of the AP membership list attached as Exhibit F to the complaint in *U. S.* v. *Associated Press*, Civil Action No. 19-163 (U. S. D. C., S. D. N. Y.), and the associate AP memberships listed in AP's answer to interrogatory No. 24 of the interrogatories filed by the plaintiff in said action. Circulation figures obtained from list in *Editor & Publisher* "1942 International Year Book Number," except in the case noted in (c) below, and are in the main for average circulation during the period from April 1 to September 30, 1941: All papers listed as "Morning Evening," "Daily," or "All day" were counted as two papers and their circulations divided between the morning and evening fields upon the basis of reports of the Audit Bureaus of Circulations as noted in (d) and (e) below. All papers listed in *Editor & Publisher*, even though that publication's apparent rule of inclusion under the label "English-language general-circulation" is rather broad and not distinct, were considered in the tabulation.

[b] Fifty largest cities in the order of their size in 1940 as given by the U. S. Bureau of the Census.

[c] Included in this figure is the circulation of the Chicago Sun for the 6-month period ending September 30, 1942, an item of 277,025 (daily average).

[d] The circulation of the all-day paper, the Los Angeles News, is given as 216,740. Upon the basis of edition figures given in a report of the Audit Bureau of Circulations (dated March 31, 1942), this total was distributed as follows: Morning, 103,300, and evening, 113,400.

[e] The circulation of the all-day paper, the Washington Times-Herald, is given as 209,105. Upon the basis of edition figures given in a report of the Audit Bureau of Circulations (dated September 30, 1942), this total was distributed as follows: Morning, 124,400, and evening, 84,700.

EXHIBIT No. 7

Number of daily newspapers in the 25 largest cities: 1900–1942. Number of ownerships and circulation: 1900–1942 [1]

[fol. 1375]

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	2,576,438	69	.....	84	.....	.....	.....	153	...
1910	6,647,384	66	.....	86	.....	.....	.....	152	...
1920	10,696,355	49	6,014,331	76	8,418,687	125,299	116,926	125	104
1930	15,477,606	43	9,116,889	69	11,358,463	217,069	164,617	112	96
1935	.....	39	9,004,188	62	9,981,351	236,952	160,990	101	86
1940	16,745,522	37	10,044,196	57	10,747,547	271,465	191,921	94	79
1942	.....	37	10,529,791	53	10,826,850	284,589	204,280	90	76
1920 [2]	100	100	100	100	100	100	100	100	100
1930	145	88	152	91	135	173	141	90	92
1935	.....	80	150	82	119	189	138	81	83
1940	157	76	167	75	128	217	164	79	76
1942	.....	76	175	70	129	232	184	72	73
			1. NEW YORK CITY						
1900	3,437,202	8	.....	8	.....	.....	.....	16	...
1910	4,766,883	9	.....	7	.....	.....	.....	16	...
1920	5,620,048	6	1,527,658	7	1,697,000	254,610	242,429	13	9
1930	6,930,446	6	3,061,732	9	2,141,303	510,289	237,923	15	12
1935	.....	5	3,235,207	7	1,726,272	647,041	246,610	12	10
1940	7,454,995	4	3,551,602	8	2,001,282	887,901	250,160	12	11
1942	.....	4	3,568,417	8	1,947,828	892,104	243,476	12	11

2. CHICAGO

1900	1,698,575	5	.....	8	.....	.....	.....	13	...
1910	2,185,283	4	.....	5	.....	.....	.....	9	...
1920	2,701,705	2	780,673	4	922,399	390,336	230,600	6	4
1930	3,376,438	2	1,250,093	4	1,158,642	625,047	289,661	6	5
1935	.....	2	1,163,549	3	1,040,528	581,775	346,843	5	4
1940	3,396,808	1	1,076,866	3	1,324,156	1,076,866	441,385	4	4
1942	.....	2	1,283,017	3	1,304,669	641,509	434,890	5	5

3. PHILADELPHIA

1900	1,293,697	6	.....	5	.....	.....	.....	11	...
1910	1,549,008	5	.....	6	.....	.....	.....	11	...
1920	1,823,158	4	517,538	[3]	[2]614,160	129,385	[2]307,080	7	6
1930	1,950,961	3	523,653	3	963,836	174,551	321,279	6	5
1935	.....	2	499,893	3	836,643	249,947	278,881	5	5
1940	1,931,334	2	643,112	3	763,738	321,556	254,579	5	5
1942	.....	2	692,441	2	760,505	346,221	380,253	4	4

[1] Tabulated from lists in N. W. Ayer & Son, *American Newspaper Annual: 1901* and *American Newspaper Annual and Directory: 1911*, and the "International Year Book Numbers" of *Editor and Publisher* for 1920–21, 1931, 1936, 1941, and 1943. Only newspapers the circulation of which was a 1 per cent or more of the population of the city of publication were counted. This limitation was adopted to exclude trade and other special-interest papers and thus to confine the tabulation to newspapers of general circulation. All foreign-language papers were also excluded. As shown in the tables for individual cities, circulation figures were not available for the following papers: In 1920, four evening dailies, the Philadelphia *Star*, Milwaukee *Leader*, Minneapolis *Star*, and Denver *Herald*, and one morning daily, the Boston *Advertiser;* in 1930, one morning daily, the Newark *Free Press;* in 1935, one morning daily, the Los Angeles *Times;* in 1940, one evening daily, the Kansas City *Journal*. These papers were counted in computing the number of newspapers but not in computing average circulation.

[2] Index numbers, base 1920.

[3] *Editor & Publisher* lists the evening *Star* but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but was not used in calculating the average evening circulation.

EXHIBIT No. 7—Continued

4. DETROIT

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	285,704	2	.....	3	.....	.....	.....	5	...
1910	465,766	2	.....	2	.....	.....	.....	4	...
1920	993,739	1	154,625	3	349,226	154,625	116,409	4	4
1930	1,568,662	1	232,709	3	685,432	232,709	228,477	4	4
1935	.....	1	239,199	2	575,525	239,199	287,763	3	3
1940	1,623,452	1	322,683	2	664,376	322,683	332,188	3	3
1942	.....	1	356,836	2	729,378	356,836	364,689	3	3

5. LOS ANGELES

1900	102,479	2	.....	2	.....	.....	.....	4	...
1910	319,198	3	.....	3	.....	.....	.....	6	...
1920	576,673	2	171,925	3	219,031	85,963	73,010	5	4
1930	1,238,048	3	472,680	3	417,963	157,560	139,321	6	5
1935	.....	[1]3	[1](288,422)	2	343,386	[1](144,211)	171,693	5	3
1940	1,504,277	[1]3	[1]531,732	[1]2	[1]358,553	177,244	179,276	5	3
1942	.....	[1]3	[1]576,217	[1]2	[1]380,587	192,072	190,293	5	3

6. CLEVELAND

1900	381,768	3	.....	3	.....	.....	.....	6	...
1910	560,663	3	.....	3	.....	.....	.....	6	...
1920	796,841	1	182,459	2	331,729	182,459	165,865	3	3
1930	909,429	1	215,672	2	381,678	215,672	190,839	3	3
1935	.....	1	196,302	2	309,362	196,302	154,681	3	3
1940	878,336	1	227,657	2	350,002	227,657	175,001	3	3
1942	.....	1	223,616	2	364,025	223,616	183,013	3	3

7. BALTIMORE

1900	508,957	2	.....	2	.....	.....	.....	4	...
1910	558,485	2	.....	3	.....	.....	.....	5	...

1920	733,826	2	164,498	2	180,791	82,249	90,396	4	3
1930	804,874	1	152,991	3	405,987	152,991	135,329	4	3
1935	.....	1	142,391	2	338,947	142,391	169,474	3	2
1940	859,100	1	147,231	2	344,627	147,231	172,314	3	2
1942	.....	1	159,971	2	368,038	159,971	184,019	3	2

[fol. 1377]

8. ST. LOUIS

1900	575,238	2	.....	3	.....	.....	.....	5	...
1910	687,029	3	.....	3	.....	.....	.....	6	...
1920	772,897	1	206,113	3	302,957	206,113	100,986	4	4
1930	821,960	1	270,667	3	443,628	270,667	147,876	4	4
1935	.....	1	211,906	2	356,177	211,906	178,089	3	3
1940	816,048	1	239,642	2	399,440	239,642	199,720	3	3
1942	.....	1	246,461	2	433,978	246,461	216,989	3	3

9. BOSTON

1900	560,892	5	.....	4	.....	.....	.....	9	...
1910	670,585	5	.....	6	.....	.....	.....	11	...
1920	748,060	[1] 5	[2] 680,224	5	698,508	[3] 170,056	139,702	10	7
1930	781,188	4	865,798	5	948,337	216,449	189,667	9	7
1935	.....	4	932,474	5	715,069	233,119	143,014	9	7
1940	770,816	4	963,530	5	680,675	240,883	136,135	9	6
1942	.....	4	970,572	4	697,800	242,643	174,450	8	5

[1] *Editor & Publisher* lists the morning *Times* for 1935 but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but was not used in calculating the average morning circulation.

[2] The circulation of the *News*, an all-day paper, was distributed between the morning and evening fields in proportion to a report on editions by the Audit Bureau of Circulations dated March 31, 1942, both in 1940 and 1942. The circulation in 1940 was thus counted as 96,400 in the morning field and 105,800 in the evening. The circulation in 1942 was counted as 105,200 in the morning and 115,500 in the evening.

[3] *Editor & Publisher* lists the morning *Advertiser* for 1920 but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but not in calculating the average morning circulation.

EXHIBIT No. 7—Continued

10. PITTSBURGH

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	451,512	3		4				7	
1910	533,905	3		5				8	
1920	558,343	3	215,530	4	362,419	71,843	90,605	7	5
1930	669,817	1	238,569	2	364,711	238,569	182,356	3	3
1935		1	206,036	2	315,525	206,036	157,762	3	3
1940	671,659	1	235,839	2	386,731	235,839	193,365	3	3
1942		1	233,650	2	415,637	233,650	207,818	3	3

11. WASHINGTON

1900	278,718	2		1				3	
1910	331,069	2		2				4	
1920	437,571	2	101,904	2	141,644	50,952	70,822	4	4
1930	486,869	3	181,205	3	264,778	60,402	88,259	6	6
1935		2	206,216	3	311,834	103,108	103,944	5	5
1940	663,091	[7] 2	[7] 247,289	[7] 3	[7] 315,370	123,644	105,123	5	4
1942		[7] 2	[7] 288,764	[7] 3	[7] 363,809	144,382	121,270	5	4

[fol. 1378]

12. SAN FRANCISCO

1900	342,782	3		2				5	
1910	416,912	3		3				6	
1920	506,676	2	238,295	3	229,492	119,147	76,474	5	4
1930	634,394	2	288,145	2	219,874	144,072	109,937	4	3
1935		2	266,864	2	215,310	133,432	107,655	4	3
1940	634,536	2	277,394	2	213,689	138,697	106,844	4	3
1942		2	285,778	2	235,095	142,889	117,547	4	3

13. MILWAUKEE

1900	285,315	1		3				4	
1910	373,857	2		4				6	
1920	457,147	1	50,428	4	[8] 204,588	50,428	[8] 68,196	5	4
1930	578,249	1	72,302	3	317,859	72,302	105,953	4	3
1935		1	106,565	3	318,768	106,565	106,256	4	4
1940	587,472	1	124,252	2	273,741	124,252	136,870	3	3
1942		1	130,113	1	280,378	130,113	280,378	2	2

14. BUFFALO

1900	352,387	3		5				8	
1910	423,715	2		4				6	
1920	506,775	2	85,830	4	233,039	42,915	58,260	6	5
1930	573,076	1	132,311	2	291,219	132,311	145,609	3	3
1935		1	132,673	2	281,734	132,673	140,867	3	3
1940	575,901	1	121,672	1	209,045	121,672	209,045	2	2
1942		1	132,063	1	234,874	132,063	234,874	2	2

15. NEW ORLEANS

1900	287,104	2		3				5	
1910	339,075	2		3				5	
1920	387,219	1	73,334	2	100,568	73,334	50,284	3	3
1930	458,762	2	145,554	2	111,400	72,677	55,700	4	3
1935		2	143,594	2	110,679	71,797	55,339	4	2
1940	494,537	2	146,636	2	127,155	72,818	63,577	4	2
1942		1	142,971	2	130,448	142,971	65,224	3	2

[7] The circulation of the *Times-Herald*, an all-day paper, was distributed between the morning and evening fields in proportion to a report on editions by the Audit Bureau of Circulations dated September 30, 1942, both in 1940 and 1942. The circulation in 1940 was thus counted as 115,200 in the morning field and 78,400 in the evening. The circulation in 1942 was counted as 131,000 in the morning field and 89,200 in the evening.

[8] *Editor & Publisher* lists the evening *Leader* for 1920 but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but not in calculating the average evening circulation.

Exhibit No. 7—Continued

[fol. 1379]

16. MINNEAPOLIS

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	202,718	2		1				3	
1910	301,408	1		3				4	
1920	380,582	1	66,512	[9] 4	[9] 920,074	66,512	[9] 73,358	5	4
1930	464,356	1	72,465	3	258,547	72,465	86,182	4	3
1935		1	69,441	3	266,464	69,441	88,821	4	3
1940	492,370	1	77,419	2	357,588	77,419	178,794	3	2
1942		1	75,512	2	303,531	75,512	151,765	3	2

17. CINCINNATI

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	325,902	2		2				4	
1910	363,591	2		2				4	
1920	401,247	2	114,618	2	327,049	72,309	163,524	4	4
1930	451,160	1	77,270	2	346,139	77,270	173,069	3	3
1935		1	93,180	2	333,074	93,180	166,537	3	3
1940	455,610	1	122,672	2	305,257	122,672	152,628	3	3
1942		1	131,017	2	311,338	131,017	155,669	3	3

18. NEWARK, N. J.

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	246,070	0		2				2	
1910	347,469	1		2				3	
1920	414,524	1	32,154	2	168,201	32,154	84,100	3	3
1930	442,337	[10] 2	[10] 57,107	2	250,144	[10] 57,107	125,072	4	4
1935		1	41,000	2	209,452	41,000	104,726	3	3
1940	429,750	1	102,839	1	181,185	102,839	181,185	2	2
1942		1	109,813	1	205,889	109,813	205,889	2	2

19. KANSAS CITY, MO.

1900	163,752	2		4				6	
1910	248,381	2		3				5	
1920	324,410	2	261,536	2	370,544	130,768	185,272	4	3
1930	399,746	1	289,104	2	385,230	289,104	192,615	3	2
1935		1	305,369	2	396,223	305,369	198,111	3	2
1940	399,178	1	307,540	[11] 2	[11] 311,985	307,540	[11] 311,985	3	2
1942		1	308,561	1	312,969	308,561	312,969	2	1

[fol. 1380]

20. INDIANAPOLIS

1900	169,164	3		5				8	
1910	233,650	2		3				5	
1920	314,194	1	86,570	2	160,725	86,570	80,362	3	3
1930	364,161	1	116,890	2	211,680	116,890	105,840	3	3
1935		1	120,274	2	226,842	120,274	113,421	3	3
1940	386,972	1	130,071	2	248,211	130,071	124,105	3	3
1942		1	130,904	2	241,820	130,904	120,910	3	3

21. HOUSTON, TEX.

1900	44,633	1		2				3	
1910	78,800	1		2				3	
1920	138,276	1	41,123	2	65,114	41,123	32,557	3	3
1930	292,352	1	73,904	2	135,544	73,904	67,772	3	3
1935		1	80,094	2	145,408	80,094	72,704	3	3
1940	384,514	1	102,709	2	179,269	102,709	89,634	3	3
1942		1	104,639	2	195,166	104,639	97,583	3	3

[9] *Editor & Publisher* lists the evening *Star* for 1920 but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but not in calculating the average evening circulation.

[10] *Editor & Publisher* lists the morning *Free Press* for 1930 but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but not in calculating an average.

[11] The same situation obtains with the evening *Journal* in 1940.

EXHIBIT No. 7—Continued

22. SEATTLE

Year	Population	Morning newspapers		Evening newspapers		Morning, average circulation	Evening, average circulation	Total number	Number of ownerships
		Number	Circulation	Number	Circulation				
1900	80,671	2	.....	2	.....	.....	.....	4	...
1910	237,194	1	.....	2	.....	.....	.....	3	...
1920	315,312	1	49,195	3	162,924	49,195	54,308	4	4
1930	365,583	1	102,235	2	199,960	102,235	99,980	3	3
1935	.....	1	104,908	2	181,619	104,908	90,809	3	3
1940	368,302	1	102,806	2	174,765	102,806	87,382	3	3
1942	.....	1	114,009	2	198,882	114,009	99,441	3	3

23. ROCHESTER, N. Y.

1900	162,608	2	.....	3	.....	.....	.....	5	...
1910	218,149	2	.....	3	.....	.....	.....	5	...
1920	295,750	2	79,591	2	77,096	39,795	38,548	4	4
1930	328,132	1	83,148	2	132,344	83,148	61,172	3	2
1935	.....	1	78,120	2	116,318	78,120	58,159	3	2
1940	324,975	1	83,805	1	101,801	83,805	101,801	2	1
1942	.....	1	88,929	1	102,619	88,929	102,619	2	1

[fol. 1381]

24. DENVER

1900	133,859	3	.....	4	.....	.....	.....	7	...
1910	213,381	2	.....	5	.....	.....	.....	7	...
1920	256,491	1	35,747	[12] 4	[12] 177,891	35,747	[12] 59,297	5	4
1930	287,861	1	40,707	1	159,519	40,707	159,519	2	2
1935	.....	1	38,285	1	154,335	38,285	154,335	2	2

1940	322,412	1	41,799	1	156,800	41,799	156,800	2	2
1942	.....	1	48,179	1	167,198	48,179	167,198	2	2

25. LOUISVILLE

1900	204,731	3	.....	3	.....	.....	.....	6	...
1910	223,928	2	.....	2	.....	.....	.....	4	...
1920	234,891	2	96,251	2	101,518	48,125	50,759	4	3
1930	307,745	1	100,178	2	162,709	100,178	81,354	3	2
1935	.....	1	102,226	2	155,857	102,226	77,928	3	2
1940	319,077	1	116,399	1	125,332	116,399	125,332	2	1
1942	.....	1	127,341	1	140,389	127,341	140,389	2	1

[12] Editor & Publisher lists the evening *Herald* in 1920 but gives no circulation for it. The circulation is not otherwise available. The paper is counted in the number of dailies but not in calculating the average evening circulation.

EXHIBIT No. 8

Cities with one daily newspaper, with all dailies under common control, and with competing dailies: 1920–1942[1]

Year	Cities with dailies	Cities with only one daily newspaper		Cities with only dailies under common control[2]		Cities with competing dailies[2]	
		Number	Percent of total	Number	Percent of total	Number	Percent of total
1920	1,292	724	56.0	743	57.5	549	42.5
1930	1,402	1,002	71.5	1,114	79.5	288	20.5
1936	1,457	1,056	72.5	1,206	82.8	251	17.2
1937	1,460	1,083	74.2	1,230	84.2	230	15.8
1938	1,458	1,094	75.0	1,249	85.7	209	14.3
1939	1,437	1,080	75.2	1,241	86.4	196	13.6
1940	1,426	1,092	76.6	1,245	87.3	181	12.7
1941	1,431	1,098	76.6	1,280	89.5	151	10.5
1942	1,403	1,100	78.4	1,276	90.9	127	9.1

[1] Tabulated from the lists of English-language daily newspapers in *Editor & Publisher* "International Year Book Numbers" for 1920–21, 1931, and 1937–43. The only papers eliminated were those outside of the geographical area of the 48 States and the D. C.

[2] When common control was not indicated clearly in the information accompanying the *Editor & Publisher* lists, these other types of well-authenticated data were used: As in the case of the two Hearst dailies in New York City (*Journal* [fol. 1382] *American* and *Mirror*), the list of chain dailies in the same "International Year Book Number" was consulted to establish the relationship. Information printed with the list itself does not indicate a relationship. In certain other cases, such as the New Haven *Journal-Courier* and *Register*, the common nature of the control (in this case, through the holdings of John Day Jackson) has been affirmed by trade journal statements and reports to the Post Office Department. In cases such as the Topeka (Kansas) *Capital* and *State Journal*, where business and mechanical departments are controlled by a joint publishing company even though the "papers themselves" are "corporate and editorially separate," it was concluded that common control existed, that competition had ceased. Where there was any question about the existence of common control, it was concluded for the purposes of this tabulation that competition existed. A city having a daily morning paper and a daily evening paper, not under common control, was classified as a city with competing dailies; in other words, for the purposes of this tabulation, morning and afternoon papers were treated as competing units when under separate control.

AFFIDAVIT OF ALFRED MCCLUNG LEE

STATE OF MICHIGAN,
County of Wayne, ss:

ALFRED MCCLUNG LEE, being duly sworn, deposes and says:

In their news and advertising columns, daily newspapers perform functions necessary to the operation of a democratic society, a society in which public opinions have powerful influence upon the formation of public policies and private actions.

To be healthy, a democracy must permit the functioning of a number of publics, each containing people with differ-

ent interests and conditions of life and each seeking to make its opinions effective in influencing the judgments of those entrusted with policy-making. It is through a comparison and compromise of such conflicting interests that the government of a democracy draws the approximations of broadly acceptable policies which are its strength.

Popular opinions attain a useful degree of unification when they may be based upon current, accurate, and reasonably complete information concerning the more significant events and conditions throughout the world.

To furnish our American publics with the facts concerning society that are essential to reasonable wisdom in the formation of opinions, newspapers published daily and at less frequent intervals give various versions and selections of facts and accompany them with editorial interpretations. To the extent that our newspapers present a variety of versions and selections of the facts adequate to satisfy the interests of all significant publics, our newspapers function as satisfactory instruments of a democratic society. To the extent that they do not, dissatisfactions are caused that take the form of criticisms and even of litigation, such as the present suit against The Associated Press *et al.*

[fol. 1383] In the provision of such diversity of fact and opinion, weekly newspapers and modest monthlies and quarterlies are still not too difficult to initiate. As William Allen White, editor and publisher of the Emporia (Kansas) *Gazette*, has stated, "I think on the whole, sooner or later in the long run, the American people do get the truth. But they often get it when it is cold potatoes, and does them no good." (Quoted from a personal letter dated May 5, 1936, printed in: Alfred McClung Lee, *The Daily Newspaper in America*, New York, The Macmillan Company, 1937, page 697.) For current information, however, Americans must depend—other than for brief bulletins—upon the daily newspapers, and the rapidly decreasing competition in the daily newspaper field is fast narrowing the number of publics that are satisfactorily thus served in each publication area.

In reply to the contention of many editor-publishers that they are wise enough to represent their whole community with all of its publics, one is reminded of the following statement by Robert Rutherford McCormick, publisher of the

Chicago *Tribune*, in a pamphlet on *The Freedom of the Press* (Chicago, The Tribune Co., 1934, page 30):

> Men who are given dictatorial powers invariably become tyrants, with the tyrannical conviction that they are heaven-sent, that what they do is divinely inspired, and that dissent is treason.

It also recalls the statement by William Randolph Hearst in reply to the question, "Is the political influence of the American press, in general, declining or increasing, and why?" He replied:

> I rather think that the influence of the American press is on the whole declining. This, I believe, is because so many newspapers are owned or influenced by reactionary interests and predatory corporations, and are used selfishly, to promote the welfare of these reactionary interests, rather than the welfare of the public. This tends to weaken the confidence of the public in all newspapers more or less. (Quoted in *Editor & Publisher*, Vol. 57, No. 3, June 14, 1924, page 3.)

[fol. 1384] Some contend that the noncompetitive daily newspapers that remain in 19.1 per cent of our cities, rather than becoming "tryannical," utilize editorial columns signed by writers with contrasting viewpoints and even news reports written by several different reporters in order to attempt to satisfy conflicting needs and interests. Others, among whom I am numbered, point to the correlation between the rise of unified control of dailies in so many of our cities and the increase in noncontroversial circulation "bait" in an economic or political sense in daily newspaper columns. The latter makes it possible to substitute comic strips, motion picture gossip, fiction, sports news, sensationalized murder stories, and sensational foreign news for more adequate and representative national, state, and local news and views. Of these tested circulation-getting ingredients in a modern noncompetitive daily newspaper, only the sensational foreign news has direct bearing upon public policies of any great political or economic significance, and in this area governmental controls are necessarily now operative.

In view of the bearing of news and advertising information upon all kinds of decisions and actions by the Amer-

ican people, it is therefore a matter of vital importance to the national welfare that the American people should be able to obtain fresh, accurate, and world-wide news of current events and conditions through the means of newspapers and especially of daily newspapers.

National policy dealing with freedom of the press requires that newspapers be unhampered and unrestrained in selecting the particular news they choose to publish, in emphasizing it, and in expressing any accompanying viewpoint or opinion. A corollary of such national policy is that newspapers be unhampered by any artificial or unnecessary restraints, public or private, upon their choice of, and free competitive access to, the various sources of news, including agencies engaged in assembling and transmitting daily news reports of world events. It is a further corollary of such national policy that the public interest is promoted by the establishment, and continued availability to the public, of as many responsible newspapers, representing differing and varied points of view, [fol. 1385] as can successfully participate in the business of disseminating news and related comment.

According to Mr. McCormick, freedom of the press "would be abridged by any law passed by Congress which, by the exercise of a code or otherwise, would do any of the following things: First, unreasonably raise the cost of the production * * * second, unreasonably decrease the return from publishing * * * third, interfere with the transmission of news by telegraph or otherwise. * * * And, finally, anything that would unreasonably interfere with the freedom of the press in any way which may ever be invented." (quoted from his pamphlet on *The Freedom of the Press*, Chicago, The Tribune Co., 1934, pages 33 and 34.) So far as Congress is concerned, I would agree with this quotation from Mr. McCormick's pamphlet, but I would insist upon going a step further. The daily newspaper industry has already succeeded in making effective for the benefit of existing newspaper owners restricting controls in all of these areas, controls that have very seriously limited the actual freedom of the press. In the public interest, means must be found to cope with these economic and business restrictions on freedom of the press.

I have described, the manner in which publication conditions "unreasonably raise the cost of production" in my

book on *The Daily Newspaper in America*, (New York: The Macmillan Company, 1937), chapters V and VII in particular. I have told how existing publishers "unreasonably decrease the return from publishing" for their actual and potential competitors in chapters IX and X of that book. On Mr. McCormick's third point, dealing with interference with the transmission of news by telegraph and otherwise, chapters XIII and XIV are pertinent, as are other depositions I have made in connection with the present case against The Associated Press *et al.*

No daily newspaper can exist in this country today and serve as anything but a supplement to some other daily newspaper without access to the services of a news-gathering agency. By a news-gathering agency is meant an organization engaged in gathering and transmitting the news of the world to a number of newspapers which jointly con- [fol. 1386] tribute to the expense of this undertaking, whether by way of assessments of proportionate shares of the total expense or by way of a flat charge for the service. No single newspaper, however large and powerful, has been able independently and by means of its own staff during the past three decades to gather and transmit to itself the outstanding news events of the entire world.

Huge and complex news-gathering agencies have thus become a necessity for daily newspaper operation, but they should not be permitted—through special arrangements with existing dailies—to aid in creating a steady trend towards local non-competitive daily newspaper situations and to make it practically impossible to initiate new profitable ventures in the daily newspaper field.

Alfred McClung Lee.

Subscribed and sworn to before me this twentieth day of May 1943. Mary Ellen Hall, Notary Public.

Affidavit of Alfred McClung Lee

STATE OF MICHIGAN,
COUNTY OF WAYNE, ss:

Alfred McClung Lee, being duly sworn, deposes and says:

I have examined the list of regular members of The Associated Press on March 1, 1942, set forth in Exhibit F at-

tached to the complaint in *United States* v. *Associated Press,* Civil Action No. 19-163, pending in the United States District Court for the Southern District of New York, and the list of associate members set forth in the answer of The Associated Press to Interrogatory No. 24 of the interrogatories served on it by the plaintiff on January 26, 1943. There are 1,234 regular members in the former list and 13 associate members in continental United States in the latter list, a total of 1,247. I have examined the data pertinent to the classification of newspapers represented by said 1,247 memberships, including *Editor & Publisher's* "International Year Book Number," Ayer's *Directory of Newspapers and Periodicals, Standard Rate & Data Service: Newspaper Section,* and the answers of the defendants to the interrogatories served upon them by plaintiff in the foregoing case.

[fol. 1387] Based upon my examination of such data, I have prepared Exhibits Nos. 1, 2, and 3, which are attached hereto and made a part hereof, and I have classified the newspapers represented by said 1,247 memberships as follows:

Foreign-language newspapers: New York (N. Y.) Staats Zeitung and the Philadelphia (Pa.) Gazette-Democrat	2
English-language newspapers:	
Morning Daily Newspapers, the names of which are set forth in Exhibit No. 1	303
Evening Daily Newspapers, the names of which are set forth in Exhibit No. 2	887
Semiweekly, Weekly, and Tri-weekly Newspapers, the names of which are set forth in Exhibit No. 3	30
Newspapers represented by memberships in The Associated Press which are held or utilized only for Sunday papers or Sunday morning editions of daily evening papers, the names of which newspapers are set forth in Exhibit No. 3	20
Daily College Publications, the names of which are set forth in Exhibit No. 3	5
Total	1,247

I have examined the affidavit executed on May 12, 1943, by Edwin Moss Williams, vice president of United Press Associations, and Exhibit C attached thereto which lists the daily morning newspapers published in the English language in the United States which subscribed to UP service on August 1, 1942. I have prepared Exhibits Nos. 4 and 5, which are attached hereto and made a part hereof. I have included in Exhibit No. 4 the newspapers appearing in Exhibit C of the Williams' affidavit which were AP members on March 1, 1942, and I have included in Exhibit No. 5 the newspapers appearing in said Exhibit C which were not AP members on March 1, 1942.

I have also examined Exhibit B attached to said affidavit of Edwin Moss Williams, which exhibit lists the daily evening newspapers published in the English language in the United States which subscribed to UP service on August 1, 1942. I have prepared Exhibits Nos. 6 and 7, which are attached hereto and made a part hereof. I have included in Exhibit No. 6 the newspapers appearing in Exhibit B of the Williams' affidavit, which were AP members on March 1, 1942, and I have included in Exhibit No. 7 the [fol. 1388] newspapers appearing in said Exhibit C which were not AP members on March 1, 1942.

I have examined the deposition of Joseph V. Connolly which was taken on behalf of defendants on oral examination on April 21 and April 22, 1943, in the case of *United States* v. *Associated Press* and I have examined the list of newspaper subscribers of International News Service on August 1, 1942 (marked Plaintiff's Exhibit for identification No. 7), which Mr. Connolly testified was an accurate list of said subscribers. I have examined the data pertinent to determining the daily morning and the daily evening newspapers published in the English language in the United States which were receiving INS service on August 1, 1942. I have prepared Exhibits Nos. 8, 9, 10, and 11, which together include all of said newspapers. Exhibit No. 8 lists the daily morning newspapers so receiving INS service which were AP members on March 1, 1942; Exhibit No. 9 lists the daily morning newspapers so receiving INS service which were not AP members on March 1, 1942; Exhibit No. 10 lists the daily newspapers so receiving INS service which were AP members on March 1, 1942; and Exhibit No. 11 lists the daily evening news-

papers so receiving INS service which were not AP members on March 1, 1942.

I have examined the answer of The Associated Press to Interrogatory No. 18 of the interrogatories which the plaintiff served on it on January 26, 1943. This answer lists the names of the English-language daily newspapers published in the United States as of September 30, 1941, which, as shown by *Editor & Publisher's* "1942 International Year Book Number," did not utilize AP, UP, or INS service. I have prepared Exhibit No. 12, which is attached hereto and made a part hereof. Exhibit No. 12 lists separately the morning newspapers and the evening newspapers which are included in the answer to Interrogatory No. 18, except six newspapers which, as explained in a note to said exhibit, either held an AP membership on March 1, 1942, or were receiving UP or INS service on August 1, 1942.

Exhibits Nos. 1, 2, and 4 to 12, inclusive, give the average daily 1941 circulation of the various newspapers listed therein. The notes to the respective exhibits correctly set [fol. 1389] forth the sources from which such circulation figures were obtained. Each of these exhibits gives the total 1941 circulation for the papers included therein.

The foregoing exhibits show the following for daily morning English-language newspapers published in the United States:

News service	*Number of newspapers*	*Circulation*
The Associated Press	304	15,849,132
United Press Associations	152	10,701,498
International News Service	55	4,149,929
Neither AP, UP, nor INS	7	30,839

The 304 daily morning English-language newspapers published in the United States which were members of The Associated Press, with a circulation of 15,849,132, compare with the total of 373 daily morning English-language newspapers published in the United States as of October 1, 1941 with a 1941 circulation of 16,519,010 reported by *Editor & Publisher's* "1942 International Year Book Number." In the morning field, therefore, AP members represented 81% of the total number of daily newspapers and represented 96% of the total circulation.

The bylaws of The Associated Press require its regular members to furnish news of local origin exclusively to The Associated Press and its members. With reference to this restriction, the following data for daily morning English-language newspapers published in the United States, shown by the foregoing exhibits, is pertinent:

News service	*Number of newspapers*	*Circulation*
Regular AP Members	302	15,780,201
UP but not AP	56	835,706
INS but not AP	6	18,627

The foregoing exhibits show the following for daily evening English-language newspapers published in the United States:

News service	*Number of newspapers*	*Circulation*
The Associated Press	887	19,616,674
United Press Associations	664	16,781,020
International News Service	206	8,608,183
Neither AP, UP, nor INS	77	187,975

The 887 daily evening English-language newspapers published in the United States which were members of The Associated Press, with a circulation of 19,616,674, compare [fol. 1390] with the total of 1,480 daily evening English-language newspapers published in the United States as of October 1, 1941, with a 1941 circulation of 25,561,381, reported by *Editor & Publisher's* "1942 International Year Book Number." In the evening field, therefore, AP members represented 59% of the total number of daily newspapers and represented 77% of the total circulation.

The foregoing exhibits also show the following which is pertinent to the restrictive provisions of the AP bylaws respecting news of local origin:

News service	*Number of newspapers*	*Circulation*
Regular AP members	877	18,812,988
UP but not AP	412	4,980,109
INS but not AP	91	1,508,227

I have prepared Exhibit No. 13, which is attached hereto and made a part hereof. This exhibit lists all daily morning

English-language newspapers published in the United States which had a 1941 average daily circulation of over 25,000, but does not include "day" papers which publish both morning and evening editions. The exhibit also shows whether the papers listed therein were or were not AP members on March 1, 1942. The exhibit shows that, with the exception of the *Chicago Sun*, all of the 64 morning papers having an average daily circulation of over 50,000 were AP members on that date and that, with the exception of the New York Daily Worker and the New York Morning Telegraph, all of the 46 newspapers having an average circulation between 25,000 and 50,000 were AP members. Neither the New York Daily Worker nor the New York Morning Telegraph is, in the ordinary sense of the term, a "general-circulation" daily newspaper. The former is published to serve the interests of a special group in the community. The latter makes its principal appeal to those interested in sports and other forms of commercial entertainment. Its special nature is plainly indicated by the fact that its street-sale price is 25¢ per copy, compared with the ordinary street-sale price of from 2¢ to 5¢.

I have examined Exhibits H, I, and J, which are attached to the affidavit executed by Edwin Moss Williams on May 12, 1943. Exhibit I lists the names of the newspapers which on [fol. 1391] August 1, 1942, were receiving UP service pursuant to contracts providing that no additional paper should be given UP service in the same city without requiring such paper to pay to the present subscriber a sum of money described as the "asset value" of the contract.

I have also examined Plaintiff's Exhibits for identification Nos. 43 and 44, which were introduced as part of the deposition of Joseph V. Connolly taken on behalf of defendants on oral examination in the case of *United States* v. *Associated Press*. The former exhibit lists the United States newspapers subscribing to INS service on August 1, 1942, which had exclusive rights, in the respective cities of publication, as to the INS news reports they received. The latter lists the United States newspapers subscribing to INS news reports under "asset value" contracts and the respective amounts payable to them should INS service be sold to their competitors. As shown by this exhibit and by Exhibit J of the Williams' affidavit, the amounts payable under the UP and INS "asset value" contracts are, in many cases, substantial.

Based on my examination of the foregoing exhibits and my examination, as previously stated in this affidavit, of the AP membership on March 1, 1942, I have prepared Exhibit No. 14, which is attached hereto and made a part hereof. This exhibit contains three lists. The first sets forth the instances in which only one daily newspaper is published in a city and such paper is an AP member and has an "asset value" contract with both UP and INS. The second sets forth the instances in which the only daily newspapers published in a city are under common control and such papers are AP members and have "asset value" contracts with both UP and INS. The third list sets forth the instances in which either the only morning newspaper, or the only evening newspaper, published in a city is an AP member and has an "asset value" or exclusive contract with both UP and INS.

In the 26 cities covered by the first two lists there is, in my opinion, an effective monopolization of the business of publishing a daily newspaper in these cities. In the case of the 18 newspapers covered by the third list there is, in my opinion, an effective monopolization of the business of publishing either a morning daily newspaper or an evening daily news-
[fol. 1392] paper in the city of publication.

Alfred McClung Lee.

Sworn and subscribed to before me this 22d day of May, 1943. Betty M. Hewitt, Notary Public. My commission expires December 7, 1946.

EXHIBIT No. 1

Daily morning newspapers published in the United States which were members of the Associated Press on March 1, 1942, with their 1941 circulations:

Newspaper	*1941 circulation*
Alabama:	
Birmingham Age-Herald	45,801
Huntsville Times	9,396
Mobile Register	24,508
Montgomery Advertiser	46,003
Opelika Daily News	2,585

Newspaper	*1941 circulation*
Arizona:	
Bisbee Review	3,165
Douglas Dispatch	2,381
Phoenix Republic	37,518
Tucson Arizona Star	11,483
Arkansas:	
El Dorado Daily News	6,560
Fort Smith Southwest American	15,581
Hot Springs Sentinel Record	5,620
Little Rock Gazette	64,929
California:	
Eureka Humboldt Times	6,300
Grass Valley Union	2,830
Lodi Times	2,875
Los Angeles Examiner	221,555
Los Angeles Times	219,890
Modesto Bee	(*)
Riverside Enterprise	4,841
Sacramento Union	12,644
San Bernardino Sun	14,381
San Diego Union	32,791
San Francisco Chronicle	114,765
San Francisco Examiner	165,734
San Jose Mercury Herald	20,482
Santa Barbara Morning Press	5,179
[fol. 1393] California—Continued.	
Santa Cruz Sentinel News	4,158
Santa Rosa Press-Democrat	9,107
Tulare Times	1,803
Colorado:	
Colorado Springs Gazette	5,187
Denver Rocky Mountain News	44,423
Pueblo Chieftain	10,851
Connecticut:	
Bridgeport Telegram	15,045
Hartford Courant	47,330
Meriden Record	10,500

See footnotes on pages 1086-1087.

Newspaper	1941 circulation*
Connecticut—Continued	
New Haven Journal-Courier	23,389
Norwich Bulletin	17,014
Waterbury Republican	16,924
Delaware: Wilmington Morning News	14,995
District of Columbia: Washington Post	142,182
Florida:	
Daytona Beach Morning Journal	7,192
Fort Myers News Press	5,267
Jacksonville Times-Union	92,430
Miami Herald	79,827
Orlando Sentinel	14,461
Pensacola Journal	15,280
St. Petersburg Times	17,364
Tallahassee State News	[1] 3,654
Tampa Tribune	61,280
West Palm Beach Post	9,186
Georgia:	
Atlanta Constitution	128,362
Augusta Chronicle	22,856
Columbus Enquirer-Sun	10,519
Macon Telegraph	26,457
Savannah Morning News	33,433
Idaho:	
Boise Statesman	22,026
Idaho Falls Post-Register	3,197
Lewiston Tribune	8,422
Pocatello State Journal	2,814
Twin Falls News	7,403
Illinois:	
Charleston Daily News	1,021
Decatur Herald	21,887
Chicago Tribune	1,065,297
Jacksonville Journal	5,748
Peoria Journal-Transcript	[2] 15,300
Rockford Morning Star	32,306
Springfield State Journal	40,578

See footnotes on pages 1086-1087.

Newspaper	1941 circulation
[fol. 1394] Indiana:	
Anderson Herald	14,886
Crawfordsville Journal Review	[3] 1,924
Evansville Courier	41,127
Fort Wayne Journal Gazette	57,823
Frankfort Times	8,612
Indianapolis Star	132,615
Kokomo Tribune	(*)
Lafayette Journal	[3] 16,875
Logansport Press	10,293
Marion Leader-Tribune	8,396
Muncie Star	23,533
Richmond Palladium-Item	[3] 12,265
Rushville Telegram	882
Terre Haute Star	26,654
Iowa:	
Des Moines Tribune-Register	177,464
Sioux City Journal	52,003
Iowa City Iowan	3,387
Kansas:	
Hutchinson Herald	18,598
Manhattan Morning Chronicle	2,093
Pittsburg Sun	7,413
Topeka Capital	49,260
Wichita Eagle	53,183
Kentucky:	
Frankfort State-Journal	3,705
Henderson Gleaner	2,822
Lexington Herald	20,418
Louisville Courier-Journal	120,442
Maysville Independent	4,874
Owensboro Messenger	11,066
Louisiana:	
Baton Rouge Morning Advocate	7,105
Monroe Morning World	11,876
New Orleans Times-Picayune	133,965
Shreveport Times	55,727

Newspaper	*1941 circulation**
Maine:	
Augusta Kennebec-Journal	9,647
Bangor News	33,381
Lewiston Sun	23,990
Portland Press-Herald	42,100
Waterville Sentinel	10,712
Maryland:	
Baltimore Sun	152,401
Cumberland Daily News	8,698
Frederick Post	5,742
Hagerstown Herald	4,878
[fol. 1395] Massachusetts:	
Boston Globe	142,542
Boston Herald	130,136
Boston Post	376,622
Boston Record	326,506
Lawrence Eagle	4,353
New Bedford Mercury	6,247
Springfield Republican	14,664
Springfield Union	46,238
Worcester Telegram	45,457
Michigan:	
Detroit Free Press	329,682
Escanaba Press	7,254
Grand Rapids Herald	48,946
Houghton Mining Gazette	7,268
Marquette Mining Journal	9,835
Minnesota:	
Duluth News-Tribune	38,833
Minneapolis Tribune	63,610
Owatonna Daily Peoples Press	4,040
St. Paul Pioneer Press	63,802
Mississippi:	
Jackson Clarion-Ledger	34,200
Natchez Democrat	3,556
Vicksburg Herald	3,287

See footnotes on pages 1086-1087.

Newspaper	*1941 circulation*
Missouri:	
Jefferson City Capital-News	6,387
Joplin Globe	26,081
Kansas City Times	308,100
Sedalia Capital	3,805
St. Joseph Gazette	29,482
St. Louis Globe-Democrat	241,606
Springfield Daily News	22,987
Montana:	
Billings Gazette	16,220
Bozeman Chronicle	2,932
Butte Montana Standard	17,319
Great Falls Tribune	17,692
Helena Independent	4,487
Lewistown Democrat-News	6,794
Livingston Enterprise	1,535
Missoula Missoulian	9,191
Nebraska	
Fremont Morning Guide	7,128
Lincoln State Journal	24,809
Omaha World-Herald	93,657
Scottsbluff Star-Herald	8,865
New Hampshire: Manchester Union	19,624

[fol. 1396]

New Jersey:	
Atlantic City Press	18,918
Newark Star-Ledger	107,521
Paterson Morning Call	22,138
Trenton State Gazette	9,091
Union City Hudson Dispatch	29,118
New Mexico:	
Albuquerque Journal	19,889
Roswell Morning Dispatch	3,812

See footnotes on pages 1086-1087.

Newspaper	*1941 circulation**
New York:	
Albany. Times-Union	44,347
Binghamton Sun	27,031
Buffalo Courier-Express	123,658
Elmira Advertiser	7,342
Glens Falls Post-Star	10,963
Gloversville Herald	4,692
Jamestown Post	[6] 15,412
New York Daily Mirror	777,281
New York Herald Tribune	330,138
New York Daily News	2,007,797
New York Times	455,825
Oneonta Star	9,143
Plattsburg Press	4,529
Poughkeepsie Eagle-News	2,934
Rochester Democrat and Chronicle	85,127
Schenectady Gazette	27,863
Syracuse Post-Standard	74,956
Troy Record	6,226
Utica Daily Press	19,477
North Carolina:	
Asheville Citizen	25,102
Charlotte Observer	93,172
Durham Morning Herald	20,176
Greensboro News	51,588
Pinehurst Outlook	[1] 1,500
Raleigh News and Observer	67,329
Wilmington Star	10,200
Winston-Salem Journal	27,858
North Dakota:	
Fargo Forum	18,426
Grand Forks Herald	16,579
Ohio:	
Cincinnati Enquirer	127,329
Cleveland Plain Dealer	233,640
Columbus State Journal	59,197
Dayton Journal	29,744
Findlay Republican-Courier	14,216
Springfield Daily Sun	13,232

Newspaper	1941 circulation
[fol. 1397]	
Ohio—Continued.	
Toledo Times	25,510
Zanesville Times-Recorder	20,895
Oklahoma:	
Bartlesville Examiner	6,057
Enid Morning News	15,560
Lawton Morning Press	5,358
Muskogee Daily Phoenix	10,511
Oklahoma City Oklahoman	99,660
Okmulgee Times	8,512
Shawnee Morning News	9,972
Tulsa World	65,966
Oregon:	
Klamath Falls Daily News	2,510
Portland Morning Oregonian	151,591
Salem Statesman	9,574
Pennsylvania:	
Allentown Morning Call	49,441
Altoona Tribune	8,384
Bloomsburg Morning Press	7,660
Bradford Era	8,210
Easton Free Press	10,355
Greensburg Morning Review	5,789
Harrisburg Patriot	16,438
Hazelton Standard Sentinel	7,802
Johnstown Democrat	20,819
Lancaster Intelligencer	21,712
Meadville Tribune-Republican	8,329
Oil City Derrick	10,958
Philadelphia Inquirer	415,159
Philadelphia Record	237,742
Pittsburg Post-Gazette	234,202
Pottstown Mercury	14,228
Reading Times	26,988
Scranton Tribune	33,398
Somerset Daily American	4,008
Stroudsburg Record	4,700

Newspaper	1941 circulation*
Pennsylvania—Continued	
Titusville Herald	5,383
Towanda Daily Review	5,397
Uniontown Herald	10,895
Washington Observer	11,050
Waynesburg Democrat-Messenger	5,271
Wilkes-Barre Record	25,596
Williamsport Gazette & Bulletin	6,370
York Gazette & Daily	23,562
Rhode Island:	
Newport Herald	3,483
Providence Journal	39,198

[fol. 1398]

South Carolina:	
Anderson Independent	8,844
Charleston News and Courier	28,214
Columbia State	43,651
Florence Morning News	4,434
Greenville Daily News	43,271
Orangeburg Times Democrat	5,234
Spartanburg Herald	17,351
South Dakota:	
Aberdeen American News	8,569
Deadwood Daily Pioneer Times	1,450
Tennessee:	
Chattanooga Times	49,494
Johnson City Chronicle	3,504
Knoxville Journal	47,350
Memphis Commercial Appeal	125,112
Nashville Tennessean	72,887
Texas:	
Abilene Reporter News	15,012
Amarillo News	22,015
Austin American	17,482

See footnotes on pages 1086-1087.

Newspaper	*circulation 1941*
Texas—Continued	
Beaumont Enterprise	31,966
Corpus Christi Caller	19,785
Dallas News	110,713
Edinburg Daily Review	4,639
El Paso Times	27,236
Fort Worth Star-Telegram	96,535
Galveston News	11,537
Greenville Herald	7,746
Harlingen Valley Morning Star	8,272
Houston Post	102,793
Longview Journal	9,180
Lubbock Morning Avalanche	13,243
San Angelo Times	16,443
San Antonio Express	57,819
Temple Daily Telegram	9,723
Texarkana Gazette	11,193
Tyler Morning Telegraph	11,001
Waco News-Tribune	14,485
Wichita Falls Record News	16,754
Utah: Salt Lake Tribune	62,263
Vermont:	
Burlington Free Press	19,416
Rutland Herald	16,086
Virginia:	
Bristol Herald Courier	13,248
Danville Register	12,088
Harrisonburg News-Record	8,770
[fol. 1399] Lynchburg News	10,024
Newport News Daily Press	9,572
Norfolk Virginia-Pilot	56,084
Richmond Times-Dispatch	90,527
Roanoke Times	35,680
Staunton News-Leader	5,338
Strasburg Northern Virginia Daily	6,193
Washington:	
Everett Daily Herald	(4)

See footnotes on pages 1086-1087.

Newspaper	1941 circulation*
Washington—Continued	
Hoquiam Grays Harbor Washingtonian	4,361
Seattle Post Intelligencer	106,108
Spokane Spokesman Review	66,368
Tacoma Daily Ledger	(7)
Walla Walla Union Bulletin	[5] 7,660
Wenatchee Daily World	(4)
Yakima Herald	8,432
West Virginia:	
Beckley Post Herald	10,465
Bluefield Telegraph	16,132
Charleston Gazette	62,393
Clarksburg Exponent	15,968
Fairmont Times	6,050
Huntington Herald Dispatch	19,140
Morgantown Dominion News	6,689
Parkersburg News	7,124
Wheeling Intelligencer	16,354
Wisconsin:	
Eau Claire Leader	10,692
Milwaukee Sentinel Sun	125,243
Total	15,849,132

* Average daily circulation as reported in *Editor & Publisher's* 1942 International Year Book Number," except where noted otherwise. Other source used only where no figure is reported in said *International Year Book.*

[1] N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942.*

[2] All-day circulation as given in *Editor & Publisher's* "1942 International Year Book Number" distributed between morning and evening editions in the proportion of morning and evening editions shown by a report of Audit Bureau of Circulations.

[3] All-day circulation as reported in *Editor & Publisher's* "1942 International Year Book Number" divided evenly between morning and evening editions.

[fol. 1400] *Associate Members Included in Foregoing List*

	1941 Circulation
Mobile (Ala.) Register	24,508
Denver (Colo.) Rocky Mountain News	44,423
Total	68,931
Total circulation daily morning member newspapers	15,849,132
Less circulation associate member newspapers	68,931
Circulation of morning newspapers of regular members	15,780,201

EXHIBIT No. 2

Daily evening newspapers published in the United States which were members of the Associated Press on March 1, 1942, with their 1941 circulations.

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[4] *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942;* and *Standard Rate & Data Service: Newspaper Section,* December 1941, list this paper as an evening daily. Its morning AP membership may be used for predate editions or other purposes, but the paper's entire circulation has been included in giving its circulation in the list of AP evening papers.

[5] Average 1941 circulation as reported by the paper in a letter to the Department of Justice.

[6] *Standard Rate & Data Service: Newspaper Section,* December 1941.

[7] This paper is similar to those covered by footnote (4), except that the evening paper owned by the same organization carries a different name, Tacoma *News-Tribune.*

Newspaper	*1941 circulation*
Alabama:	
Birmingham News	109,680
Decatur Daily	7,134
Dothan Eagle	9,000
Florence Times-News	5,704
Gadsden Times	9,875
Mobile Press	33,306
Montgomery Journal	14,262
Selma Times-Journal	6,908
Sheffield Tri-Cities Daily	4,750
Troy Messenger	1,830
Tuscaloosa News	8,038
Arizona:	
Nogales Herald	3,052
Phoenix Gazette	21,562
Prescott Daily Courier	4,201
Tuscon Daily Citizen	10,607
Arkansas:	
Camden Evening News	3,896
Conway Log Cabin Democrat	1,645
El Dorado Evening Times	3,006
Fayette Northwest Arkansas Times	4,679
Fort Smith Times-Record	10,337
Helena World & Record	6,480
Hope Star	4,212
Hot Springs New Era	5,282
Jonesboro Sun	5,752
Little Rock Arkansas Democrat	50,833
Magnolia Banner News	2,168
Malvern Daily Record	1,350
Paragould Press	1,365
[fol. 1401] Pine Bluff Commercial	8,883
Russellville Courier Democrat	1,196
Searcy Citizen	856
Stuttgart Daily Leader	2,352
Texarkana Daily News	6,422

See footnotes on pages 1113-1114.

Newspaper	1941 circulation
California:	
Alhambra Post-Advocate	6,710
Bakersfield Californian	18,147
Burbank News-Press	(1)
Chico Enterprise	2,929
Colton Daily Courier	1,396
Culver City Star News	2,666
Eagle Rock News-Press	(1)
Fresno Bee Republican	48,513
Glendale News-Press	13,855
Hermosa Beach Daily Breeze	(1)
Hollywood Citizen News	26,969
Long Beach Press-Telegram	46,329
Los Angeles Herald & Express	243,924
Marysville Appeal Democrat	6,332
Modesto Bee	12,672
Monrovia News Post	3,161
Monterey Peninsula Herald	6,207
Napa Register	4,796
Oakland Tribune	88,166
Palo Alto Daily Times	5,506
Pasadena Star-News	21,278
Petaluma Argus Courier	1,770
Pomona Progress Bulletin	7,228
Redding Record-Searchlight	4,956
Redondo Daily Breeze	4,437
Redwood City Tribune	3,782
Riverside Daily Press	7,730
Sacramento Bee	72,471
San Bernardino Telegram	3,432
San Diego Tribune-Sun	51,289
San Fernando Valley News	(3)
San Francisco Call-Bulletin	106,524
San Jose News	18,621
San Pedro News-Pilot	10,646
Santa Ana Register	14,889
Santa Barbara News	10,372
Santa Monica Outlook	12,184
Stockton Daily Evening Record	26,262
Tulare Advance Register	2,038

See footnotes on pages 1113-1114.

Newspaper	1941 circulation*
Califronia—Continued	
Vallejo Evening News	3,710
Visalia Delta Times	3,687
Venice Evening Vanguard	(*)
[fol. 1402] Colorado:	
Boulder Camera	4,086
Colorado Springs Telegraph	7,121
Denver Post	158,063
Durango Herald Democrat	3,150
Fort Collins Express Courier	5,671
Fort Morgan Times	2,096
Grand Junction Sentinel	8,964
Greely Tribune-Republican	7,253
La Junta Daily Tribune	1,540
Leadville Herald-Democrat	3,527
Longmont Times-Call	2,795
Pueblo Star-Journal	13,902
Sterling Advocate	6,669
Trinidad Chronicle-News	2,901
Connecticut:	
Ansonia Sentinel	9,067
Bridgeport Post	47,039
Bristol Press	7,137
Danbury News-Times	11,042
Hartford Times	73,833
Manchester Evening Herald	6,447
Meriden Journal	7,052
New Britain Herald	20,082
New Haven Register	73,073
New London Day	16,369
Norwalk Hour	8,843
Norwich Evening Record	3,568
Stamford Advocate	14,234
Torrington Register	7,746
Waterbury American	21,902
Delaware:	
Wilmington Journal-Every Evening	46,417

See footnotes on pages 1113-1114.

Newspaper	1941 circulation
District of Columbia:	
Washington Evening Star	162,104
Florida:	
Bradenton Herald	4,261
Clearwater Sun	4,163
Daytona Beach Evening News	8,184
Fort Lauderdale Daily News & Evening Sentinel	5,004
Fort Pierce News Tribune	2,902
Gainesville Sun	4,676
Jacksonville Journal	47,204
Key West Citizen	2,723
Lakeland Ledger & Star Telegram	7,375
Miami Daily News	46,463
Ocala Star	3,817
Orlando Reporter-Star	9,942
[fol. 1403] Palatka Daily News	3,652
Panama City News Herald	3,195
Pensacola News	13,068
St. Augustine Record	4,920
St. Petersburg Independent	12,585
Sanford Herald	1,823
Sarasota Herald-Tribune	4,767
Tallahassee Daily Democrat	5,959
Tampa Times	31,683
West Palm Beach Times	5,669
Winter Haven Chief	4,783
Georgia:	
Albany Herald	8,613
Americus Times-Recorder	3,960
Athens Banner-Herald	5,318
Atlanta Journal	160,729
Augusta Herald	20,437
Brunswick News	4,310
Columbus Ledger	17,218
Sordele Dispatch	3,126
Griffin News	4,847
Macon News	13,627
Moultrie Observer	3,039
Rome News Tribune	7,745

Newspaper	1941 circulation*
Georgia—Continued	
Savannah Press	18,621
Thomasville Times-Enterprise	3,628
Tifton Gazette	1,875
Valdosta Times	4,110
Waycross Journal-Herald	5,770
Idaho:	
Blackfoot Bulletin	2,411
Boise Evening Statesman	(6)
Caldwell News-Tribune	3,539
Idaho Falls Post Register	5,606
Kellogg Evening News	1,810
Moscow Daily Idahonian	4,257
Nampa Idaho Free Press	4,269
Pocatello Tribune	5,142
Twin Falls Times	8,055
Wallace Press-Times	2,219
Illinois:	
Alton Telegraph	18,380
Aurora Beacon-News	21,720
Belleville Daily Advocate	7,757
Benton Evening News	3,765
Bloomington Pantagraph	27,101
Cairo Citizen	7,381
[fol. 1404] Canton Daily Ledger	7,685
Carbondale Free Press	2,041
Centralia Evening Sentinel	9,212
Champaign News-Gazette (P. M.)	19,122
Chicago Herald American (P. M.)	455,764
Chicago Daily Times	422,446
Chicago Daily News	457,981
Danville Commercial-News	28,190
Decatur Daily Review	25,986
Dixon Telegraph	6,968
Du Quoin Evening Call	2,287
Elgin Courier News	17,440
Flora Daily News Record	4,618
Freeport Journal Standard	13,092

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
Illinois—Continued	
Galena Gazette	1,250
Galesburg Register-Mail	18,861
Jacksonville Courier	2,830
Joliet Herald-News	24,088
Kankakee Republican	15,063
Kewanee Star-Courier	9,163
La Salle Post-Tribune	9,673
Lincoln Evening Courier	5,775
Macomb Journal	6,448
Moline Dispatch	19,141
Monmouth Review Atlas	4,963
Mount Vernon Register-News	8,169
Ottawa Daily Republican Times	10,083
Peoria Journal Transcript	45,900
Peru News-Herald	3,442
Quincy Herald-Whig	24,473
Rockford Register-Republic	25,329
Rock Island Argus	19,576
Springfield Illinois State Register	39,151
Sterling Daily Gazette	8,477
Streator Daily Times Press	8,686
Taylorville Breeze-Courier	4,356
Urbana Evening Courier	8,438
Waukegan News-Sun	14,155
Indiana:	
Anderson Bulletin	19,615
Attica Ledger Tribune	2,834
Bedford Times Mail	8,405
Bicknell Daily News	2,618
Bloomington World	3,037
Columbus Republican	6,510
Connersville News Examiner	4,873
Crawfordsville Journal Review	1,924
[fol. 1405] Elkhart Truth	15,774
Evansville Press	32,724
Fort Wayne News-Sentinel	66,469
Gary Post Tribune	30,872
Indianapolis News	162,515

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
Indiana—Continued	
Kokomo Tribune	16,814
Lafayette Courier	[2] 16,875
Madison Courier	3,511
Marion Chronicle	9,965
Michigan City News-Dispatch	9,555
Muncie Evening Press	19,566
Newcastle Courier Times	8,342
Rushville Republican	3,041
Seymour Tribune	3,365
Shelbyville Daily Democrat	4,777
South Bend Evening Tribune	76,499
Terre Haute Tribune	26,594
Vincennes Sun-Commercial	12,149
Washington Herald	4,271
Iowa:	
Boone News Republican	4,006
Burlington Hawk-Eye Gazette	19,291
Carroll Daily Times Herald	3,808
Cedar Rapids Gazette & Republican	44,344
Centerville Daily Iowegian & Citizen	4,962
Charles City Press	3,728
Cherokee Daily Times	3,392
Clinton Herald	18,801
Council Bluffs Nonpareil	15,215
Creston News-Advertiser	4,745
Davenport Democrat & Leader	14,799
Davenport Times	25,357
Des Moines Tribune	135,639
Dubuque Telegraph-Herald & Times-Journal	31,293
Estherville News	2,975
Fort Dodge Messenger & Chronicle	13,830
Iowa City Press-Citizen	7,955
Marshalltown Times-Republican	10,948
Mason City Globe-Gazette	18,999
Missouri Valley Times	1,963
Muscatine Journal & News Tribune	7,712
Newton News	4,301
Ottumwa Courier	15,024

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
Iowa—Continued	
Perry Chief	3,328
Sioux City Tribune Journal	35,349
Spencer Reporter	5,328
Waterloo Daily Courier	36,102
Webster City Freeman-Journal	3,107
[fol. 1406] Kansas:	
Abilene Reflector	2,414
Arkansas City Traveler	5,431
Atchison Globe	6,285
Beloit Daily Call	2,125
Chanute Tribune	5,148
Cherryvale Republican	1,777
Clay Center Dispatch	2,435
Coffeyville Journal	7,247
Concordia Blade-Empire	3,142
Dodge City Globe	5,945
El Dorado Times	5,140
Emporia Gazette	7,067
Fort Scott Tribune Monitor	4,172
Frankfort Index	1,558
Fredonia Herald	1,900
Garden City Telegram	4,391
Great Bend Tribune	4,886
Hays Daily News	3,409
Hutchinson News	13,401
Independence Reporter	5,470
Iola Register	3,462
Junction City Union	5,340
Lawrence Journal-World	5,644
Leavenworth Times	6,802
Lyons Daily News	2,787
McPherson Republican	4,620
Manhattan Mercury	2,848
Neodesha Sun	1,545
Newton Kansas-Republican	4,167
Norton Daily-Telegram	1,888
Ottawa Herald	5,000
Parsons Sun	6,636
Pittsburg Headlight	4,646
Pratt Tribune	3,283

Newspaper	1941 circulation*
Kansas—Continued	
Salina Journal	14,062
Topeka State Journal	23,582
Wellington News	[5] 2,858
Wichita Beacon	81,616
Winfield Daily Courier	5,063
Kentucky:	
Ashland Daily Independent	10,635
Bowling Green Park City Daily News	5,991
Corbin Times-Tribune	3,761
Covington Kentucky Times-Star	([8])
Danville Kentucky Advocate	2,912
Fulton Daily Leader	[5] 1,490
[fol. 1407] Harlan Daily Enterprise	4,588
Hazard Herald	3,789
Henderson Journal	1,064
Hopkinsville Kentucky News Era	4,632
Lexington Leader	21,270
Louisville Times	133,858
Madisonville Messenger	4,263
Mayfield Daily Messenger	4,264
Owensboro Inquirer	7,735
Paducah Sun-Democrat	18,483
Richmond Register	4,017
Winchester Sun	3,417
Louisiana:	
Alexandria Town Talk	16,197
Baton Rouge State-Times	16,816
Crowley Signal	2,003
Lafayette Daily Advertiser	7,415
Lake Charles American Press	8,835
Monroe News-Star	10,042
New Orleans Item	67,347
New Orleans States	59,195
Shreveport Journal	33,311
Maine:	
Bangor Commercial	15,009
Bath Times	3,023

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation**
Maine—Continued	
Biddeford Journal	6,612
Lewiston Journal	13,295
Portland Evening Express	28,849
Maryland:	
Annapolis Capital	3,725
Baltimore News Post	189,279
Baltimore Sun	163,083
Cambridge Banner	3,376
Cumberland Times	18,566
Frederick News	5,742
Hagerstown Mail	9,676
Salisbury Times	6,012
Massachusetts:	
Athol Daily News	2,814
Attleboro Sun	6,916
Boston American	156,875
Boston Christian Science Monitor	128,581
Boston Globe	173,469
Boston Traveler	221,873
Brockton Enterprise & Times	32,165
Fall River Herald-News	32,073
Fitchburg Sentinel	11,813
[fol. 1408] Gardner News	4,802
Greenfield Recorder-Gazette	8,322
Haverhill Gazette	15,615
Lawrence Evening Tribune	27,802
Leominster Enterprise	4,461
Lowell Sun & Citizen Leader	34,884
Lynn Daily Item	18,512
New Bedford Evening Standard-Times	47,721
North Adams Transcript	12,217
Northampton Daily Hampshire Gazette	9,234
Norwood Messenger	[5] 2,317
Pittsfield Berkshire Eagle	22,106
Salem News	21,082
Springfield Union	[9] 37,641
Taunton Gazette	9,568

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
Massachusetts—Continued	
Waltham News-Tribune	8,010
Worcester Gazette	88,163
Michigan:	
Adrian Telegram	11,648
Ann Arbor News	13,399
Battle Creek Enquirer & News	27,264
Bay City Times	27,655
Benton Harbor News-Palladium	13,912
Calumet Evening News Journal	[5] 3,124
Detroit News	363,014
Flint Journal	59,370
Grand Haven Daily Tribune	2,919
Grand Rapids Press	95,544
Hillsdale News	5,617
Ionia Sentinel-Standard	3,200
Iron Mountain Daily News	7,315
Ironwood Globe	7,054
Jackson Citizen-Patriot	29,517
Kalamazoo Gazette	33,312
Lansing State Journal	47,298
Ludington Daily News	4,179
Menominee Herald-Leader	4,577
Monroe News	9,560
Mount Clemens Monitor	8,148
Muskegon Chronicle	29,441
Niles Star	3,807
Owosso Argus-Press	9,515
Pontiac Daily Press	35,729
Port Huron Times-Herald	23,064
St. Joseph Herald Press	5,638
Saginaw News	31,936
Sault Ste. Marie News	7,309
Ypsilanti Daily Press	3,891
[fol. 1409] Minnesota:	
Albert Lea Tribune	5,658
Austin Herald	7,143
Bemidji Pioneer	2,575

See footnotes on pages 1113-1114.

Newspaper	1941 circulation*
Minnesota—Continued	
Crookston Times	3,810
Duluth Herald	31,344
Fairmont Daily Sentinel	5,852
Faribault Daily News	5,863
Fergus Falls Daily Journal	10,359
International Falls Daily Journal	2,609
Hibbing Tribune	5,983
Little Falls Transcript	2,828
Mankato Free Press	12,496
Marshall Daily Messenger	3,018
Minneapolis Star-Journal	240,172
Minneapolis Times	70,741
Red Wing Republican Eagle	5,246
Rochester Post-Bulletin	11,961
St. Cloud Times	10,285
St. Paul Dispatch	102,010
Virginia Enterprise	5,296
Willmar Tribune	5,027
Winona Republican-Herald	15,242
Worthington Globe	4,726
Mississippi:	
Clarksdale Register & News	5,032
Columbus Commercial Dispatch	5,220
Corinth Daily Corinthian	2,862
Greenville Delta Democrat-Times	5,434
Greenwood Commonwealth	3,930
Gulfport (& Biloxi) Herald	[5] 10,583
Hattiesburg American	10,209
Jackson News	30,623
Laurel Leader Call	7,625
McComb Enterprise	[5] 5,407
Meridian Star	16,837
Tupelo Daily News	2,664
Vicksburg Evening Post	6,026
West Point Times Leader	4,119
Missouri:	
Boonville Daily News	2,793
Cape Girardeau Southeast Missourian	9,724

See footnotes on pages 1113-1114.

Newspaper	1941 circulation*
Missouri—Continued	
Carrollton Daily Democrat	1,678
Carthage Press	3,323
Chillicothe Constitution Tribune	4,7[illegible]
Columbia Tribune	5,676
Fulton Daily Sun-Gazette	2,7[illegible]
Hannibal Courier-Post	7,81[illegible]
[fol. 1410] Jefferson City Post-Tribune	6,589
Joplin News-Herald	15,407
Kansas City Star	312,570
Lamar Republican	1,516
Lebanon Daily News	921
Macon Chronicle Herald	4,385
Marshall Democrat-News	2,877
Maryville Daily Forum	4,477
Mexico Daily News & Intelligencer	1,719
Moberly Monitor-Index & Democrat	6,369
Monett Times	2,289
Nevada Daily Mail & Post	2,320
Poplar Bluff American Republic	7,040
Sedalia Democrat	5,368
St. Joseph Press News	44,566
St. Louis Post-Dispatch	248,323
Springfield Leader & Press	32,322
Trenton Republican-Times	2,712
Montana:	
Billings Gazette	4,154
Butte Post	11,335
Great Falls Leader	4,910
Helena Montana Record-Herald	5,090
Kalispell Inter Lake	2,496
Lewistown Evening Telegram	3,876
Miles City Star	3,771
Missoula Sentinel	4,267
Nebraska:	
Beatrice Sun	6,325
Grand Island Independent	14,625
Hastings Tribune	10,915

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation**
Lincoln Star	23,452
Lincoln Evening Journal	14,899
Norfolk News	7,051
North Platte Telegraph	6,304
Omaha World-Herald	91,975
Nevada:	
Reno Evening Gazette	13,704
New Hampshire:	
Claremont Daily Eagle	5,015
Concord Monitor & Patriot	8,977
Dover Foster's Democrat	3,140
Keene Sentinel	4,573
Laconia Evening Citizen	3,672
Manchester Leader	18,124
Nashua Telegraph	10,236
Portsmouth Herald	7,879
[fol. 1411] New Jersey:	
Asbury Park Press	13,803
Atlantic City Union	10,712
Bridgeton News	7,008
Elizabeth Journal	31,091
Hackensack Bergen Evening Record	29,357
Jersey City Jersey Journal	41,230
Lakewood Daily Times	1,875
Long Branch Record	10,743
Milleville Republican	3,616
Morristown Daily Record	8,052
Newark News	189,805
New Brunswick Daily Home News	17,267
Passiac Herald-News	35,556
Paterson Evening News	27,772
Perth Amboy News	19,289
Plainfield Courier-News	16,307
Trenton Evening Times	45,966
Vineland Times Journal	7,959
New Mexico:	
Albuquerque Tribune	14,012
Carlsbad Current-Argus	3,040

Newspaper	*1941 circulation*
New Mexico—Continued	
Clovis Evening News Journal	7,118
Gallup Independent	4,451
Hobbs Daily News-Sun	6,407
Las Cruces Sun-News	3,900
Las Vegas Optic	4,075
Raton Range	4,631
Roswell Daily Record	4,075
Santa Fe New Mexican	4,325
Silver City Daily Press & Independent	3,126
Tucumcari Daily News	5,044
New York:	
Albany Knickerbocker News	51,107
Amsterdam Recorder & Democrat	9,331
Auburn Citizen-Advertiser	8,571
Batavia News	9,362
Binghamton Press	43,482
Buffalo News	219,907
Canandaigua Daily Messenger	4,276
Corning Leader	8,565
Cortland Standard	5,606
Elmira Star-Gazette	29,952
Freeport Nassau Daily Review-Star	[5] 31,814
Geneva Daily Times	5,902
Glens Falls Times	8,054
Gloversville Leader-Republican	8,382
Hornell Tribune	8,915
[fol. 1412]	
Hudson Evening Register	3,035
Ithaca Journal	8,807
Jamestown Journal	[10] 12,702
Kingston Daily Freeman	9,675
Little Falls Times	5,854
Lockport Union-Sun & Journal	8,486
Malone Telegram	5,041
Mamaroneck Daily Times	3,254
Mount Vernon Daily Argus	11,185
New Rochelle Standard Star	10,902

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation**
New York Journal American	604,497
New York Post	208,918
New York Sun	289,105
New York World Telegram	395,201
Niagara Falls Gazette	24,058
Norwich Sun	3,030
Ogdensburg Journal	5,732
Ossining Citizen-Register	3,257
Oswego Palladium-Times	12,414
Peekskill Evening Star	5,483
Port Chester Daily Item	7,435
Port Jervis Union Gazette	1,746
Poughkeepsie New Yorker	15,776
Rochester Times-Union	102,347
Rome Sentinel	11,666
Salamanca Republican-Press	2,224
Saranac Lake Adirondack Enterprise	2,314
Saratoga Springs Saratogian	10,367
Schenectady Union Star	25,457
Syracuse Herald-Journal	103,637
Tarrytown Daily News	2,928
Troy Times-Record	31,186
Utica Observer Dispatch	37,308
Watertown Times	37,055
Wellsville Reporter	3,246
White Plains Reporter Dispatch	12,454
Yonkers Herald-Statesman	26,798
North Carolina:	
Asheville Times	17,235
Burlington Times News	6,868
Charlotte News	47,601
Concord Tribune	5,544
Durham Sun	14,456
Elizabeth City Advance	6,331
Fayetteville Observer	7,890
Gastonia Gazette	9,874
Goldsboro News-Argus	5,101
[fol. 1413]	
Greensboro Record	13,140
Greenville Reflector	3,560

Newspaper	*1941 circulation*
North Carolina—Continued	
Henderson Dispatch	3,030
Hickory Daily Record	8,794
High Point Enterprise	12,070
Kannapolis Independent	5,255
Lumberton Robesonian	4,478
Morehead City Twin City Times	1,678
New Bern Sun-Journal	[5] 2,632
Raleigh Daily Times	17,273
Rocky Mount Telegram	7,830
Salisbury Post	12,693
Shelby Star	5,250
Statesville Daily	2,700
Tarboro Southerner	2,385
Washington News	3,190
Wilmington News	7,539
Wilson Times	4,392
Winston-Salem Twin City Sentinel	22,619
North Dakota:	
Bismarck Tribune	7,274
Devils Lake Daily Journal	3,139
Fargo Forum	15,802
Grand Forks Herald	6,360
Jamestown Sun	4,132
Mandan Pioneer	[5] 2,921
Minot News	12,007
Valley City Times-Record	3,237
Williston Herald	4,289
Ohio:	
Akron Beacon Journal	107,453
Alliance Review	11,759
Athens Messenger	14,406
Canton Repository	49,859
Chillicothe Gazette	9,188
Cincinnati Times-Star	152,215
Cleveland News	123,832
Columbus Evening Dispatch	153,085
Dayton Daily News	68,326
East Liverpool Review	12,962

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
Gallipolis Daily Tribune	3,320
Hamilton Journal-News	16,632
Ironton Evening Tribune	5,641
Lancaster Eagle-Gazette	11,219
Lima News	24,131
Logan Daily News	3,012
Lorain Journal & Times-Herald	16,125
[fol. 1414]	
Mansfield News-Journal	21,037
Marion Star	16,707
Massillon Independent	10,347
Middletown Journal	12,290
Mount Vernon News	7,405
Newark Advocate	14,896
Portsmouth Times	19,521
Salem News	4,908
Sandusky Register-Star-News	16,520
Springfield News	20,669
Steubenville Herald-Star	22,090
Toledo Blade	157,461
Upper Sandusky Chief-Union	4,243
Van Wert Times Bulletin	5,076
Warren Daily Tribune-Chronicle	19,439
Washington C. H. Record Herald	5,068
Wilmington News Journal	4,407
Youngstown Vindicator	71,060
Oklahoma:	
Ada News	6,850
Ardmore Daily Ardmoreite	8,497
Bartlesville Enterprise	4,001
Bristow Daily Record	2,984
Chickasha Daily Express	5,940
El Reno Daily Tribune	4,521
Enid Daily Eagle	6,277
Guthrie Daily Leader	6,491
McAlester News-Capital	4,361
Miami News-Record	6,738
Muskogee Times Democrat	8,012
Nowata Daily Star	1,950
Oklahoma City Times	90,744

Newspaper	1941 circulation*
Oklahoma—Continued	
Pauls Valley Democrat	3,935
Ponca City News	9,588
Seminole Producer	5,177
Shawnee Evening Star	4,103
Tulsa Tribune	52,659
Stillwater News Press	5,147
Oregon:	
Baker Democrat Herald	2,763
Corvallis Daily Gazette-Times	3,112
Eugene Register-Guard	17,105
Grants Pass Daily Courier	3,745
Klamath Falls Evening Herald	6,677
Medford Mail Tribune	6,530
Pendleton East Oregonian	4,171
Portland Oregon Journal	147,159
Roseburg News-Review	3,642
[fol. 1415]	
Salem Capital-Journal	11,009
The Dalles Chronicle	2,741
Pennsylvania:	
Allentown Evening Chronicle	17,314
Bangor Daily News	4,448
Beaver Falls News-Tribune	10,512
Bethlehem Globe-Times	21,355
Carbondale Leader	5,166
Chambersburg Public Opinion	7,611
Clearfield Progress	6,799
Coatesville Record	6,794
Corry Evening Journal	2,878
Donora Herald American	3,902
Easton Express	35,651
Ellwood City Ledger	4,181
Erie Dispatch-Herald	35,453
Gettysburg Times	5,210
Greenville Record-Argus	4,590
Hanover Sun	18,906
Harrisburg Telegraph	39,739
Hazleton Plain Speaker	12,355
Indiana Evening Gazette	9,629

Newspaper	*1941 circulation**
Johnstown Tribune	32,591
Lancaster New Era	33,783
Lansford Evening Record	4,778
Lebanon Daily News-Times	15,474
Lehighton Leader	2,519
Lock Haven Express	5,420
Kane Republican	3,091
Mauch Chunk Times-News	2,995
Meadville Evening Republican	2,444
Oil City Blizzard	3,000
Philadelphia Evening Bulletin	477,021
Philadelphia Evening Public Ledger	9 200
Phoenixville Republican	4,941
Pittsburgh Sun-Telegraph	163,289
Pottsville Republican	14,726
Reading Eagle	42,579
Sayre Evening Times	5,509
St. Marys Daily Press	2,418
Scranton Times	44,500
Sunbury Daily Item	14,933
Warren Times-Mirror	8,055
Waynesboro Record Herald	4,988
Wilkes-Barre Times Leader	48,377
Williamsport Sun	19,022
York Dispatch	24,171
[fol. 1416]	
Rhode Island:	
Newport Daily News	6,959
Pawtucket Times	31,975
Providence Bulletin	116,665
Westerly Daily Sun	5,076
Woonsocket Evening Call	18,568
South Carolina:	
Anderson Mail	5,017
Charleston Evening Post	19,914
Columbia Record	33,331
Greenville Daily Piedmont	19,314
Greenwood Index-Journal	4,211

See footnotes on pages 1113-1114.

Newspaper	1941 circulation*
South Carolina—Continued	
Rock Hill Herald	5,371
Spartanburg Journal	8,678
Sumter Daily Item	5,037
Union Times	3,125
South Dakota:	
Aberdeen American News	5,257
Hot Spring Star	1,937
Huron Evening Huronite	8,042
Lead Call	1,478
Madison Daily Leader	3,197
Mitchell Daily Republic	11,176
Pierre Capital Journal	1,950
Rapid City Daily Journal	12,427
Sioux Falls Daily Argus Leader	42,534
Watertown Public Opinion	6,132
Yankton Press & Dakotan	4,563
Tennessee:	
Chattanooga Times	16,437
Chattanooga News-Free Press	48,324
Clarksville Daily Leaf Chronicle	3,783
Dyersburg State Gazette	3,685
Elizabethton Star	3,277
Greeneville Democrat Sun	3,560
Jackson Sun	9,127
Johnson City Press	9,571
Kingsport Times	9,873
Knoxville News-Sentinel	60,788
Memphis Press-Scimitar	96,808
Morristown Daily Gazette & Mail	1,850
Murfreesboro Daily News-Journal	3,840
Nashville Banner	70,578
Paris Post-Intelligencer	2,231
Union City Daily Messenger	3,025
Texas:	
Abilene Reporter News	13,153
Amarillo Globe	11,581

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
[fol. 1417]	
Athens Daily Review	1,080
Austin Statesman	15,054
Beaumont Journal	21,240
Big Spring Herald	4,897
Borger Herald	5,815
Brownsville Herald	7,090
Bryan Eagle	2,648
Corpus Christi Times	15,145
Corsicana Sun	5,360
Dallas Daily Times-Herald	102,582
Del Rio News-Herald	3,734
Dennison Herald	7,419
Denton Record-Chronicle	3,088
El Paso Herald Post	23,438
Fort Worth Star-Telegram	85,773
Gainesville Register & Messenger	3,500
Galveston Tribune	10,116
Greenville Banner	7,789
Hillsboro Mirror	1,442
Houston Chronicle	118,941
Jacksonville Daily Progress	1,150
Laredo Times	8,865
Longview News	6,740
Lubbock Journal	9,876
Lufkin News	6,686
McAllen Valley Evening Monitor	4,206
Marlin Democrat	810
Marshall News-Messenger	10,022
Midland Reporter-Telegram	2,553
Odessa American	6,327
Orange Leader	4,414
Palestine Herald	7,398
Pampa Daily News	7,028
Paris News	10,204
Plainview Herald	4,761
Port Arthur News	12,595
San Angelo Evening Standard	6,779
San Antonio Light	53,626
San Antonio Evening News	65,103
Sherman Democrat	8,071

Newspaper	1941 circulation
Texas—Continued	
Sulphur Springs News-Telegram	2,218
Tyler-Courier-Times	5,163
Vernon Record	4,592
Waco Times-Herald	14,895
Weatherford Herald	1,385
Wichita Falls Times	15,392
[fol. 1418] Utah:	
Ogden Standard-Examiner	14,697
Salt Lake Desert Evening News	34,822
Salt Lake Telegram	26,578
Vermont:	
Barre Times	7,593
Bennington Banner	3,719
Brattleboro Reformer	4,419
Burlington News	5,957
Montpelier Argus	3,889
Newport Daily Express	3,455
St. Albans Messenger	3,840
St. Johnsbury Caledonian-Record	5,149
Virginia:	
Bristol News-Bulletin	2,917
Charlottesville Daily Progress	5,339
Covington Virginian	5,290
Danville Bee	12,224
Fredericksburg Free Lance-Star	5,673
Hot Springs Telegraph	(11)
Lynchburg Advance	10,028
Martinsville Daily Bulletin	5,367
Newport News Times-Herald	15,014
Norfolk Ledger-Dispatch	49,892
Petersburg Progress Index	10,680
Portsmouth Star	13,688
Pulaski Southwest Times	5,586
Richmond News-Leader	83,656
Roanoke World-News	27,365
Staunton Evening Leader	3,955

See footnotes on pages 1113-1114.

Newspaper	1941 circulation
Suffolk News-Herald	3,415
Waynesboro News-Virginian	3,572
Winchester Star	5,324
Washington:	
Aberdeen World	12,693
Bellingham Herald	14,810
Bremerton News-Searchlight	6,662
Centralia Daily Chronicle	5,186
Ellensburg Record	3,100
Everett Daily Herald	16,952
Longview Daily News	10,953
Olympia Daily Olympian	6,648
Port Angeles Evening News	3,876
Seattle Times	115,449
Spokane Chronicle	55,180
Tacoma News Tribune	44,976
Vancouver Columbian	8,301
Walla Walla Union Bulletin	[9]6,871
[fol. 1419] Wenatchee Daily World	11,846
Yakima Republic	8,352
West Virginia:	
Beckley Raleigh Register	9,026
Bluefield Sunset News	2,558
Charleston Daily Mail	44,749
Clarksburg Telegram	17,386
Elkins Inter-Mountain	[9]4,023
Fairmont West Virginian	5,459
Grafton Sentinel	3,494
Hinton Daily News	2,910
Huntington Advertiser	17,604
Logan Banner	3,718
Martinsburg Journal	6,416
Morgantown Post	6,869
Moundsville Echo	4,191
Point Pleasant Register	2,511
Welch Daily News	9,388
White Sulphur Evening Telegraph	([11])
Williamson Daily News	6,788

See footnotes on pages 1113-1114.

Newspaper	*1941 circulation*
Wisconsin:	
Antigo Daily Journal	5,249
Appleton Post-Crescent	19,420
Chippewa Falls Herald-Telegram	6,215
Eau Claire Telegram	6,414
Fond du Lac Commonwealth Reporter	13,648
Green Bay Press-Gazette	25,561
Janesville Gazette	15,318
Kenosha News	13,878
LaCrosse Tribune & Leader-Press	18,965
Madison Capital-Times	28,270
Manitowoc Herald-Times	11,440
Marinette Eagle Star	6,744
Marshfield News-Herald	7,330
Milwaukee Journal	262,257
Monroe Evening Times	3,744
Oshkosh Daily Northwestern	15,639
Racine Journal-Times	20,737
Rhinelander News	2,839
Shawano Evening Leader	3,952
Sheboygan Press	20,228
Stevens Point Daily Journal	6,720
Superior Telegram	18,437
Two Rivers Reporter & Chronicle	3,264
Wausau Record-Herald	11,215
Wisconsin Rapids Daily-Tribune	6,729
[fol. 1420] Wyoming:	
Casper Tribune & Herald	7,525
Cheyenne Wyoming State Tribune & Leader	10,251
Laramie Republican-Boomerang	1,978
Sheridan Press	5,442
Total	19,616,674

Associate Members Included in Foregoing List

Mobile (Ala) Press	33,306
Monterey (Calif.) Peninsula Herald	6,207
Boise (Idaho) Evening Statesman	(*)

See footnotes on pages 1113-1114.

Associate Members Included in Foregoing List—Continued	
Twin Falls (Idaho) Times-News	8,055
Evansville (Ind.) Press	32,724
New York (N. Y.) World-Telegram	395,201
Portland (Ore.) Oregon Journal	147,159
Knoxville (Tenn.) News-Sentinel	60,788
Memphis (Tenn.) Press-Scimitar	96,808
El Paso (Tex.) Herald Post	23,438
Total	803,686
Total circulation daily evening member newspapers	19,616,674
Less circulation associate member newspapers	803,686
Circulation of evening newspapers of regular members	18,812,988

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise. Other source used only where no figure is reported in said *International Year Book.*

[1] *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942,* and *Standard Rate & Data Service: Newspaper Section,* December 1941 do not list these papers, and the Post Office Department has no report of their circulation. These papers are under the same ownership as Glendale *News-Press,* and they and the Glendale *News-Press* are all located in Los Angeles or its suburbs. It has therefore been assumed that these papers are local editions of the Glendale *News-Press* and that their circulation is included in the circulation reported for that paper.

[2] All-day circulation as reported in *Editor & Publisher's* "1942 International Year Book Number" divided evenly between morning and evening editions.

[3] *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942,* and *Standard Rate & Data Service: Newspaper Section,* December 1941 do not list this paper, and the Post Office Department has no report of its circu-

lation. This paper is under the same ownership as Hollywood *Citizen News*, and it and the Hollywood *Citizen News* are located in Los Angeles or its suburbs. It has therefore been assumed that this paper is a local edition of the Hollywood *Citizen News* and that its circulation is included in the circulation reported for that paper.

[4] According to *Standard Rate & Data Service: Newspaper Section*, December 1941, this is an edition of Culver City *Star News*. Since its circulation is included in that of the Culver City *Star News*, no separate circulation is shown for it.

[5] N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942.*

[6] New daily; no circulation report available.

[7] All-day circulation as given in *Editor & Publisher's* "1942 International Year Book Number," distributed between morning and evening editions in the proportion of [fol. 1421] morning and evening edition circulation shown by a report of Audit Bureau of Circulations.

[8] Reported in standard sources as an edition of Cincinnati (Ohio) *Times-Star*. Since its circulation is included in that of the Cincinnati *Times-Star*, no separate circulation is shown for it.

[9] Average 1941 circulation as reported by the paper in a letter to the Department of Justice.

[10] *Standard Rate & Data Service: Newspaper Section*, December 1941.

[11] *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942*, and *Standard Rate & Data Service: Newspaper Section*, December 1941, do not list these papers, and the Post Office Department has no report of their circulation. These papers are under the same ownership as Covington (Va.) *Virginian*, and they and the Covington *Virginian* are all located in adjacent counties. It has therefore been assumed that these papers are local editions of the Covington *Virginian* and that their circulation is included in the circulation reported for that paper.

EXHIBIT No. 3

*Semiweekly, weekly and Triweekly Newspapers Published in the United States which were Members of The Associated Press on March 1, 1942.**

Flagstaff (Ariz.) Sun.
Winslow (Ariz.) Mail.
Holbrook (Ariz.) Tribune-News.
Laguna Beach (Calif.) South Coast News.
Bartow (Fla.) Polk County Record.
Live Oak (Fla.) Suwanee Democrat.
Stuart (Fla.) News.
Milledgeville (Ga.) Union-Recorder.
Burley (Idaho) Bulletin.
Rupert (Idaho) Minidoka County News.
Princeton (Ky.) Leader.
Providence (Ky.) Enterprise.
Jennings (La.) Jeff Davis Parish News.
Opelousas (La.) Clarion-News.
Redwood Falls (Minn.) Gazette.
[fol. 1422] Pascagoula (Miss.) Moss Point Advertiser.
Sikeston (Mo.) Standard.
Alliance (Nebr.) Times Herald.
Flemington (N. J.) Hunterdon County Democrat.
Freehold (N. J.) Transcript.
Red Bank (N. J.) Register.
Salem (N. J.) Standard and Jerseyman.
Toms River (N. J.) Ocean County Sun.
Wildwood (N. J.) Leader.

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* These are the newspapers listed in the answer of The Associated Press to Interrogatory No. 23 of the interrogatories served on it by plaintiff on January 29, 1943, with these exceptions: In accordance with *Editor & Publisher's* "1942 International Year Book Number," the Lodi (Calif.) *Times* was a morning daily and it is listed in Exhibit No. 1. The Newark (N. J.) *Sunday Call* is shown in the list below of Sunday papers. The Millersburg (Ohio) *Farmer-Hub* is added to this list because it is an associate member, according to the answer to Interrogatory No. 24. Hot Springs (S. D.) *Star* and Athens (Tex.) *Review* are listed in Exhibit No. 2 as evening dailies because they are so listed in *Editor & Publisher's* "1942 International Year Book Number."

Millersburg (Ohio) Farmer Hub.
Montrose (Pa.) Independent.
Williamsport (Pa.) Grit.
Clarksville (Texas) Times.
Lamesa (Texas) Dawson County Courier.
Charlottesville (Va.) College Topics.

Memberships in The Associated Press on March 1, 1942, which were Held or Utilized only for Sunday Papers or Sunday Morning Editions of Daily Evening Papers.

Fresno (Calif.) Bee Republican.
Washington (D. C.) Sunday Star.
Bloomington (Ill.) Pantagraph.
Chicago (Ill.) Herald American.
Quincy (Ill.) Herald-Whig.
Champaign (Ill.) News-Democrat.
Vincennes (Ind.) Sun Commercial.
Cedar Rapids (Iowa) Gazette & Republican.
Dubuque (Iowa) Times-Journal.
Waterloo (Iowa) Courier.
Paducah (Ky.) Sun-Democrat.
Baltimore (Md.) American.
Newark (N. J. Sunday Call.
Utica (N. Y.) Observer Dispatch.
Columbus (Ohio) Sunday Star.
Ada (Okla.) News.
Eugene (Oreg.) Register-Guard.
Palestine (Tex.) Press.
Bellingham (Wash.) Herald.
Olympia (Wash.) Olympian.

[fol. 1423] *Daily College Publications Published in the United States which were Members of The Associated Press on March 1, 1942.*

Urbana (Ill.) Illini.
Ann Arbor (Mich.) Daily.
Ithaca (N. Y.) Cornell Daily Sun.
Hanover (N. H.) Dartmouth.
Norman (Okla.) Daily.

EXHIBIT No. 4

Daily morning English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were AP members on March 1, 1942.

Newspaper	*1941 circulation**
Alabama:	
Mobile Register	24,508
Montgomery Advertiser	46,003
Arizona:	
Phoenix Arizona Republic	37,518
California:	
Los Angeles Times	219,890
Modesto Bee	(1)
Riverside Enterprise	4,841
San Bernardino Sun	14,381
San Diego Union	32,791
San Francisco Chronicle	114,765
Santa Rosa Press Democrat	9,107
Colorado:	
Denver Rocky Mountain News	44,423
Pueblo Chieftain	10,851
Delaware:	
Wilmington Morning News	14,995
District of Columbia:	
Washington Post	142,182
Florida:	
Jacksonville Times-Union	92,430
Miami Herald	79,827
Orlando Sentinel	14,461
St. Petersburg Times	17,364
Tampa Tribune	61,280

See footnote on page 1121.

Newspaper	*1941 circulation*[1]
Georgia:	
Savannah News	33,433
Illinois:	
Peoria Journal-Transcript	[2]45,900
Rockford Star	32,306
[fol. 1424]	
Indiana:	
Ft. Wayne Journal Gazette	57,823
Indianapolis Star	132,615
Marion Leader-Tribune	8,396
Terre Haute Star	26,654
Iowa:	
Des Moines Register	177,464
Kentucky:	
Lexington Herald	20,418
Louisville Courier Journal	120,442
Louisiana:	
Shreveport Times	55,727
Maine:	
Portland Press-Herald	42,100
Maryland:	
Baltimore Sun	152,401
Massachusetts:	
Boston Herald	130,136
Boston Post	376,622
Michigan:	
Detroit Free Press	329,682
Minnesota:	
Minneapolis Tribune	63,610
St. Paul Pioneer Press	63,802
Missouri:	
Springfield News	22,987

See footnote on page 1121.

Newspaper	*1941 circulation**
Montana:	
Billings Gazette	16,220
Butte Standard	17,319
Great Falls Tribune	17,692
Nebraska:	
Lincoln Journal	24,809
Omaha World-Herald	93,657
New Jersey:	
Newark Star-Ledger	107,521
New York:	
Buffalo Courier-Express	123,658
New York Daily Mirror	777,281
New York Daily News	2,007,797
New York Herald Tribune	330,138
New York Times	455,825
Rochester Democrat & Chronicle	85,127
Schenectady Gazette	27,863
North Carolina:	
Ashville Citizen	25,102
Greensboro News	51,588
Raleigh News & Observer	67,329
Winston-Salem Journal	27,858
[fol. 1425] Ohio:	
Cincinnati Enquirer	127,329
Cleveland Plain Dealer	233,640
Dayton Journal	29,744
Findlay Republican Courier	14,216
Oklahoma:	
Enid News	15,560
Muskogee Phoenix	10,511
Oklahoma City Oklahoma	99,660
Tulsa World	65,966
Oregon:	
Portland Oregonian	151,591

Newspaper	*1941 circulation*
Pennsylvania:	
Allentown Call	49,441
Greensburg Review	5,789
Harrisburg Patriot	16,438
Johnstown Democrat	20,819
Philadelphia Inquirer	415,159
Philadelphia Record	237,742
Pittsburgh Post-Gazette	234,202
Reading Times	26,988
Scranton Tribune	33,398
Rhode Island:	
Providence Journal	39,198
South Carolina:	
Charleston News & Courier	28,214
Greenville News	43,271
Tennessee:	
Memphis Commercial Appeal	125,112
Nashville Tennessean	72,887
Texas:	
Abilene Reporter-News	15,012
Austin American	17,482
Beaumont Enterprise	31,966
Corpus Christi Caller	19,785
Dallas News	110,713
El Paso Times	27,236
Houston Post	102,793
Longview Journal	9,180
San Antonio Express	57,819
Texarkana Gazette	11,193
Tyler Telegraph	11,001
Waco News-Tribune	14,485
Wichita Falls Record-News	16,754
Utah:	
Salt Lake City Tribune	62,263
Virginia:	
Richmond Times-Dispatch	90,527
Roanoke Times	35,680

Newspaper	*1941 circulation**
[fol. 1426]	
Washington:	
Yakima Herald	8,432
Wisconsin:	
Eau Claire Leader	10,692
Total	9,865,792

EXHIBIT No. 5

Daily morning English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were not AP members on March 1, 1942:

Newspaper	*1941 Circulation*
Arkansas: Hope Journal	1,910

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise.

[1] *Editor & Publisher's* "1942 International Year book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals:* 1942, and *Standard Rate & Data Service: Newspaper Section,* December 1941, list this paper as an evening daily. The paper is among the daily evening papers receiving UP service listed in Exhibit No. 6 of my affidavit and its entire circulation has been reported in this exhibit. The Williams' affidavit also shows the paper as one of the UP morning-paper subscribers, and it would appear, therefore, that the paper received the UP night report for use for pre-date editions or other purposes.

[2] All-day circulation as given in *Editor & Publisher's* "1942 International Year Book Number" distributed between morning and evening editions in the proportion of morning and evening editions shown by a report of Audit Bureau of Circulations.

Newspaper	*1941 circulation*
California:	
Chico Record	2,831
Fresno Bee	(1)
Hanford Journal	1,614
Lodi News Sentinel	4,362
Long Beach Morning Sun	10,995
Los Angeles Journal	2,130
Los Angeles News	[2] 103,300
Oroville Mercury Register	2,479
Pasadena Post	20,990
Pittsburg Independent	2,496
Richmond Record Herald	3,423
San Francisco Commercial News	1,136
San Francisco Wall Street Journal	3,250
Vallejo Times Herald	9,653
Watsonville Sun	2,409
Colorado: Trinidad Light	3,845
District of Columbia: Washington Times-Herald	[2] 124,400
Florida:	
Fort Lauderdale Times	3,124
Ocala Banner	3,791

[fol. 1427]

Illinois:	
Chicago Journal of Commerce	21,170
Chicago Sun	[3] 277,025
Clinton Journal-Public	[4] 2,137
Indiana: Shelbyville Republican	2,136
Kansas: Abiline Chronicle	2,846
Maryland: Baltimore Record	[4] 2,220
Mississippi: Tupelo Journal	7,669
Missouri: Carthage Democrat	2,509

See footnotes on page 1124.

Newspaper	*1941 circulation*[3]
Montana: Havre News	3,278
Nebraska:	
Beatrice Times	4,492
North Platte Bulletin	6,802
Nevada: Reno State Journal	7,769
New Jersey: Camden Post	16,051
New York:	
Hudson Star	3,010
Kingston Leader	4,483
New York Daily Worker	[5] 27,127
New York Morning Telegraph	[4] 41,373
New York Wall Street Journal	28,318
Plattsburg Republican	[4] 6,100
North Carolina:	
Greenville News Leader	3,128
Kannopolis Independent	5,255
Ohio: Cleveland Metal Trade	[4] 3,093
Oregon:	
Oregon City Enterprise	3,102
Portland Journal of Commerce	[4] 1,763
Pennsylvania:	
Danville News	2,910
Du Bois Courier	5,814
Philadelphia Legal Intelligencer	[4] 1,440
Tennessee: Johnson City Times	4,126
Texas: Marshall American	(6)
Utah: Brigham Box Elder News-Journal	2,956
Washington: Seattle Journal of Commerce	[4] 4,255
Wyoming:	
Cheyenne Wyoming Eagle	10,203
Laramie Bulletin	3,298

See footnotes on page 1124.

Newspaper	*1941 circulation**
Wyoming—Continued	
Rawlins Republican-Bulletin	2,331
Rock Springs Rocket	4,725
Worland News	2,654
Total	835,706

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise. Other source used only where no figure is reported in said *International Year Book.*

[1] *Editor & Publisher's* "1942 *International Year Book Number,*" N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942,* and *Standard Rate & Data Service: Newspaper Section,* December 1941, list this paper as an evening daily. The paper is among the daily evening papers receiving UP service listed in Exhibit No. 6 of my affidavit and its entire circulation has been reported in this exhibit. The Williams' affidavit also shows the paper as one of the UP morning-paper subscribers, and it would appear, therefore, that the paper received the UP night report for use for predate editions or other purposes.

[2] All-day circulation as given in *Editor & Publisher's* "1942 International Year Book Number" distributed between morning and evening editions in the proportion of morning and evening editions shown by a report of Audit Bureau of Circulations.

[3] *Editor & Publisher's* "1943 International Year Book Number."

[4] N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942.*

[5] Average 1941 circulation as reported to the Department of Justice by the Post Office Department.

[6] *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Son's *Directory of Newspapers and Periodicals: 1942,* and *Standard Rate & Data Service: Newspaper Section,* December 1941, do not list this paper, and the Post Office Department has no report of its circulation. Presumably the paper discontinued publication shortly after beginning publication.

[fol.1428] EXHIBIT No. 6

Daily Evening English-language newspapers published in the United States which were receiving UP service on August 1, 1942, and which were AP members on March 1, 1942:

Alabama: Mobile Press	33,306
Arizona:	
Phoenix Gazette	21,562
Tucson Citizen	10,607
Arkansas:	
Camden News	3,896
El Dorado Times	3,006
Helena World	6,480
Hot Springs New-Era	5,282
Little Rock Arkansas Democrat	50,833
Magnolia Banner-News	2,168
Paragould Press	1,365
California:	
Bakersfield Californian	18,147
Fresno Bee	48,513
Hollywood Citizen-News	26,969
Long Beach Press Telegram	46,329
Los Angeles Herald & Express	243,924
Modesto Bee	12,672
Monterey Herald	6,207
Oakland Tribune	88,166
Pasadena Star News	21,278
Pomona Progress Bulletin	7,228
Riverside Press	7,730
Sacramento Bee	72,471
San Bernardino Telegram	3,482
San Diego Tribune Sun	51,289
[fol. 1429]	
San Jose evening News	18,621
Santa Ana Register	14,889
Santa Monica Outlook	12,184
Stockton Daily Record	26,262
Colorado:	
Denver Post	158,063
Durango Herald-Democrat	3,150
Pueblo Star Journal	13,902

Newspaper	*1941 Circulation*
Connecticut:	
Bridgeport Post	47,039
Hartford Times	73,833
New Britain Herald	20,082
Delaware: Wilmington Journal-Every Evening	46,417
Florida:	
Miami News	46,463
Orlando Reporter-Star	9,942
Georgia:	
Americus Times Recorder	3,960
Atlanta Journal	160,729
Griffin News	4,847
Savannah Press	18,621
Waycross Journal Herald	5,770
Idaho:	
Moscow Daily Idahonian	4,257
Nampa Free Press	4,269
Twin Falls Times	8,055
Illinois:	
Bloomington Pantagraph	27,101
Champaign (or Urbana) News Gazette	19,122
Chicago News	457,981
Chicago Times	422,446
Danville Commercial News	28,190
Duquoin Call	2,287
Freeport Journal-Standard	13,092
Galesburg Register-Mail	18,861
Kankakee Republican News	15,063
Rock Island Argus	19,516
Rockford Register Republic	25,329
Springfield State Register	39,151
Waukegan News-Sun	14,155
Indiana:	
Columbus Republican	6,510
Evansville Press	32,724

Newspaper	*1941 Circulation**
Fort Wayne News Sentinel	66,469
Gary Post Tribune	30,872
Indianapolis News	162,515
Kokomo Tribune	16,814
[fol. 1430]	
Lafayette Journal & Courier	33,751
Michigan City News-Dispatch	9,555
South Bend Tribune	76,499
Terre Haute Tribune	26,594
Iowa:	
Boone News Republican	4,006
Cedar Rapids Gazette	44,344
Charles City Press	3,728
Clinton Herald	18,801
Davenport Democrat Leader	14,799
Davenport Times	25,357
Des Moines Tribune	135,639
Dubuque Telegraph Herald	31,293
Mason City Globe Gazette	18,999
Waterloo Courier	36,102
Kentucky:	
Ashland Independent	10,635
Louisville Times	133,858
Paducah Sun Democrat	18,483
Louisana: Baton Rouge State-Times	16,816
Maine: Portland Express	28,849
Maryland: Baltimore News Post	189,279
Massachusetts:	
Boston Christian Science Monitor	128,581
Boston Evening Globe	173,469
Boston Traveler	221,873
Brockton Enterprise Times	32,165
Fall River Herald	32,073
Lawrence Tribune	27,802
Lowell Sun & Citizen Leader	34,884
New Bedford Standard-Times	47,721

Newspaper	1941 Circulation
Massachusetts—Continued	
Pittsfield Berkshire Eagle	22,106
Waltham News-Tribune	8,010
Worcester Gazette	88,163
Michigan:	
Battle Creek Enquirer News	27,264
Detroit News	363,014
Flint Journal	59,370
Grand Rapids Press	95,544
Jackson Citizen Patriot	29,517
Kalamazoo Gazette	33,312
Lansing State Journal	47,298
Mt. Clemens Monitor-Leader	15,189
Pontiac Press	35,729
Port Huron Times Herald	23,064
Saginaw News	31,936
Ypsilanti Press	3,891
[fol. 1431]	
Minnesota:	
Minneapolis Star Journal	240,172
Red Wing Republican Eagle	5,246
Rochester Post Bulletin	11,691
St. Cloud Times	10,285
St. Paul Dispatch	102,010
Winona Republican Herald	15,242
Mississippi:	
Clarksdale Press	1,396
Jackson News	30,623
Meridian Star	16,837
Missouri:	
Jefferson City Post Tribune	6,589
St. Joseph News Press	44,566
Springfield Leader & Press	32,322
Montana:	
Billings Gazette	4,154
Butte Post	11,335
Great Falls Leader	4,910

Newspaper	*1941 Circulation*
Nebraska:	
Hastings Tribune	10,915
Lincoln Journal	14,889
Omaha World-Herald	91,975
New Jersey:	
Elizabeth Journal	31,091
Newark News	189,805
Passaic Herald-News	35,556
Paterson News	27,772
Trenton Times	45,966
Vineland Times-Journal	7,959
New Mexico:	
Albuquerque Tribune	14,012
Roswell Record	4,075
Santa Fe New Mexican	4,325
New York:	
Albany Knickerbocker News	51,107
Auburn Citizen	8,571
Binghamton Press	43,482
Buffalo News	219,907
Elmira Star-Gazette	29,952
Jamestown Post-Journal	22,654
New York Journal and American	604,497
New York Sun	289,105
New York World-Telegram	395,201
Niagara Falls Gazette	24,058
Ogdensburg Journal	5,732
Oswego Palladium	12,414
[fol. 1432]	
Rochester Times-Union	102,347
Schenectady Union-Star	25,457
Syracuse Herald Journal	103,637
Troy Times Record	31,186
Utica Observer-Dispatch	37,308
Watertown Times	37,055
North Carolina:	
Asheville Times	17,235
Concord Tribune	5,544

Newspaper	*1941 Circulation*
North Carolina—Continued	
Durham Sun	14,456
Greensboro Record	13,140
Winston-Salem Sentinel	22,619
North Dakota: Fargo Forum	18,426
Ohio:	
Akron Beacon-Journal	107,453
Canton Repository	49,859
East Liverpool Review	12,962
Gallipolis Tribune	3,320
Ironton Tribune	5,641
Lancaster Eagle-Gazette	11,219
Lima News	24,131
Lorain Journal	16,125
Mansfield News-Journal	21,037
Marion Star	16,707
Middletown Journal	12,290
Newark Advocate	14,896
Portsmouth Times	19,521
Salem News	4,908
Sandusky Register Star News	16,520
Steubenville Herald Star	22,090
Toledo Blade	157,461
Youngstown Vindicator	71,060
Oklahoma:	
Ada News	6,850
El Reno Tribune	4,521
Enid Eagle	6,277
Oklahoma City Times	90,744
Seminole Producer	5,177
Tulsa Tribune	52,659
Oregon:	
Eugene Register-Guard	17,105
Medford Mail-Tribune	6,530
Portland Oregon Journal	147,159
Salem Capital Journal	11,009

See footnote on page 1133.

Newspaper	*1941 circulation*
Pennsylvania:	
Allentown Chronicle	17,314
Easton Express	35,651
[fol. 1433]	
Johnstown Tribune	32,591
Lancaster New Era	33,783
Philadelphia Bulletin	477,021
Reading Eagle	42,579
Sayre Times	5,509
Scranton Times	44,500
Sunbury Item	14,933
Williamsport Sun	19,022
Rhode Island:	
Pawtucket Times	31,975
Providence Bulletin	116,665
South Carolina:	
Charleston Post	19,914
Greenville Piedmont	19,314
South Dakota: Madison Leader	3,197
Tennessee:	
Chattanooga News-Free Press	48,324
Clarksville Leaf-Chronicle	3,783
Jackson Sun	9,127
Kingsport Times	9,873
Knoxville News-Sentinel	60,788
Memphis Press-Scimitar	96,808
Nashville Banner	70,578
Texas:	
Amarillo Globe	11,581
Austin Statesman	15,054
Beaumont Journal	21,240
Corpus Christi Times	15,145
Dallas Times Herald	102,582
El Paso Herald-Post	23,438
Gainesville Register	3,500
Galveston Tribune	10,116
Longview News	6,740

Newspaper	*1941 circulation**
Texas—Continued	
Lubbock Journal	9,876
Marshall News-Messenger	10,002
Odessa American	6,327
Palestine Herald & Press	7,398
Port Arthur Texas News	12,595
San Antonio News	65,103
Tyler Courier-Times	5,163
Waco Times-Herald	14,895
Utah:	
Ogden Standard-Examiner	14,697
Salt Lake City Telegram	26,578
Vermont:	
Burlington News	5,957
St. Albans Messenger	3,840

[fol. 1434]

Virginia:	
Lynchburg Advance	10,028
Martinsville Bulletin	5,367
Roanoke World-News	27,365
Suffolk News-Herald	3,415
Washington:	
Aberdeen World	12,693
Bellingham Herald	14,810
Everett Herald	16,952
Olympia Olympian	6,648
Seattle Times	115,449
Spokane Chronicle	55,180
Vancouver Columbia	8,301
Wenatchee World	11,846
Yakima Republic	8,352
West Virginia: Charleston (W. Va.) Daily Mail	44,749
Wisconsin:	
Eau Claire Telegram	6,414
Fond du Lac Commonwealth Reporter	13,648

See footnote on page 1133.

Newspaper	*1941 circulation**
Green Bay Press-Gazette	25,561
Kenosha News	13,878
Milwaukee Journal	262,257
Oshkosh Northwestern	15,639
Racine Journal-Times	20,737
Sheboygan Press	20,228
Superior Telegram	18,437
Total	11,800,911

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number."

EXHIBIT No. 7

Daily Evening English-Language Newspapers published in the United States which were receiving UP Service on August 1, 1942, and which were not AP members on March 1, 1942.

Newspaper	*1941 circulation**
Alabama:	
Anniston Star	8,179
Birmingham Post	75,280
Talladega Daily Home	1,420
Arizona: Yuma Sun	4,435
Arkansas:	
Arkadelphia Siftings Herald	[1] 2,200
Batesville Guard	2,142
Blytheville Courier-News	5,627
Jonesboro Tribune	5,987

[fol. 1435]

Mena Star	930
Newport Independent	2,750
Rogers Daily News	2,528

See footnotes on page 1146.

Newspaper	1941 circulation*
California:	
Alameda Times Star	5,368
Anaheim Bulletin	2,867
Antioch Ledger	1,656
Berkeley Gazette	10,871
Brawley News	2,965
Burbank Review	3,093
Burlingame Advance	3,717
Coalinga Record	1,179
Colusa Sun-Herald	1,947
Corning Observer	1,065
Corona Independent	1,640
El Centro Press	3,622
Escondido Times-Advocate	1,145
Eureka Humboldt Standard	6,848
Fullerton News-Tribune	3,197
Gilroy Dispatch	1,671
Hayward Review	3,988
Hanford Sentinel	1,491
Hollister Free Lance	1,685
Huntington Park Signal	5,418
Inglewood Daily News	5,077
Los Angeles News	[2] 113,400
Madera Tribune	1,757
Martinez Contra Costa Gazette	4,707
Merced Sun Star	4,200
Napa Register	4,796
Oakland Post-Enquirer	48,217
Oceanside Blade-Tribune	1,494
Ontario Report	4,369
Orange News	2,694
Oxnard Press-Courier	2,487
Pittsburg Post Dispatch	2,159
Porterville Recorder	2,048
Red Bluff Daily News	1,866
Redlands Facts	2,643
Richmond Independent	7,708
Salinas Californian	[3] 7,601
San Francisco News	98,296

See footnotes on page 1146.

Newspaper	*1941 circulation*
San Luis Obispo Telegram Tribune	5,621
San Mateo Times	6,235
San Rafael Independent	4,195
Santa Cruz Sentinel-News	3,236
Santa Maria Daily Times	2,723

[fol. 1436]

Santa Paula Chronicle	1,756
Santa Rosa Republican	2,432
Turlock Journal	3,012
Vallejo Evening Chronicle	8,991
Ventura Star-Free Press	7,715
Watsonville Register Pajaronian	2,862
Whittier News	[1] 4,127
Willows Journal	1,805
Wilmington Press	5,748
Colorado:	
Alamosa Courier	2,154
Canon City Record	2,116
La Juna Daily Democrat	2,378
Lamar News	[1] 2,724
Loveland Reporter-Herald	2,673
Montrose Press	3,016
Salida Mail	1,278
Walsenburg World Independent	2,488
Connecticut:	
Greenwich Time	3,679
Middletown Press	11,890
Naugatuck News	3,927
Waterbury Democrat	10,446
Winsted Citizen	2,234
District of Columbia:	
Washington News	85,046
Washington Times-Herald	[2] 84,700
Florida:	
Deland Sun News	2,827
Lake Worth Leader	2,209

See footnotes on page 1146.

Newspaper	*1941 circulation*
Georgia:	
Dublin Courier Herald	6,638
La Grange News	4,330
Marietta Journal	3,877
Idaho:	
Boise Capital News	23,272
Coeur D'Alene Press	3,190
Illinois:	
Beardstown Illinois Star	2,561
Belleville News-Democrat	8,475
Belvidere Republican	3,980
Casey Reporter	1,370
Charleston Courier	2,687
Chicago Drovers Journal	[1] 22,657
Dekalb Chronicle	6,087
East St. Louis Journal	14,176
Edwardsville Intelligencer	4,690
[fol. 1437]	
Harrisburg Register	5,454
Herrin Journal	5,042
Hoopeston Chronicle Herald	2,642
Lawrenceville Record	3,053
Lewiston Record	1,134
Litchfield News-Herald	3,654
Marion Post	4,242
Morris Herald	3,375
Mt. Carmel Republican-Register	3,855
Murphysboro Independent	3,955
National Livestock Reporter	7,181
Paris Beacon-News	5,108
Pekin Times	7,229
Peoria Star	35,529
Pontiac Leader	3,806
Robinson News	3,980
Savanna Times-Journal	2,009
Shelbyville Union	1,478
Watseka Iroquois County Times	4,312
West Frankfort American	3,887

See footnotes on page 1146.

Newspaper	1941 circulation
Indiana:	
Alexandria Times Tribune	[1] 1,685
Auburn Star	2,073
Bluffton News-Banner	4,033
Brazil Times	4,397
Clinton Clintonian	3,141
Columbia City Commercial-Mail	1,359
Columbia City Post	1,776
Decatur Democrat	3,321
Elwood Call-Leader	2,214
Goshen News-Democrat	5,629
Greencastle Banner	3,840
Hammond Times	27,837
Hartford City News-Times	3,806
Huntington Herald-Press	7,005
Indianapolis Times	92,251
Kendallville News-Sun	2,410
LaPorte Herald-Argus	8,327
Lebanon Reporter	3,881
Linton Citizen	4,015
Logansport Pharos-Tribune	13,814
Martinsville Reporter	2,750
Monticello Herald-Journal	3,038
Mount Vernon Democrat	2,628
Peru Tribune	7,145
Plymouth Pilot	[1] 3,374
Portland Sun	2,566

[fol. 1438]

Princeton Clarion News	2,160
Princeton Democrat	2,369
Sullivan Times	3,337
Valparaiso Vidette-Messenger	4,714
Wabash Plain Dealer	5,812
Warsaw Times	3,192
Iowa:	
Ames Tribune	4,608
Fort Madison Democrat	5,301

See footnotes on page 1146.

Newspaper	*1941 circulation*
Iowa—Continued	
Keokuk Gate City	6,341
Oelwein Register	3,973
Oskaloosa Herald	5,437
Shenandoah Sentinel	3,500
Washington Journal	3,143
Kansas:	
Kansas City Kansan	18,291
Liberal Southwest Times	3,644
Wichita Eagle	53,183
Kentucky: Middlesboro News	3,992
Louisiana:	
Opelousas World	2,811
Ruston Leader	2,850
Massachusetts:	
Everett News Gazette	5,617
Holyoke Transcript Telegram	19,740
Hudson Sun	4,865
Hyannis Cape Cod Standard	10,470
Lynn Telegram News	19,324
Marlboro Enterprise	4,865
Marlboro Sun (see Hudson)	1,890
Quincy Patriot Ledger	22,674
Southbridge News	2,367
Springfield News	48,432
Michigan:	
Albion Recorder	2,675
Alpena News	5,570
Big Rapids Pioneer	3,711
Cadillac Evening News	4,053
Cheyboygan Tribune	3,984
Coldwater Reporter	3,219
Detroit Times	319,885
Dowagiac News	2,303
Greenville News	2,470

See footnotes on page 1146.

Newspaper	*1941 circulation**
Holland Sentinel	6,802
Manistee News Advocate	3,470
Marshall Chronicle	2,766
Midland News	4,795
[fol. 1439]	
Petoskey News	2,843
Royal Oak Tribune	13,019
South Haven Tribune	2,510
Sturgis Journal	5,594
Three Rivers Commercial	3,594
Traverse Record Eagle	6,120
Minnesota:	
Brainerd Dispatch	5,617
Moorhead News	5,400
New Ulm Journal	4,183
South St. Paul Reporter	4,622
Stillwater Gazette	1,525
Mississippi:	
Grenada Star	1,263
McComb Journal	5,494
Missouri:	
Brookfield Argus	2,990
Columbia Missourian	3,282
Excelsior Springs Standard	3,588
Independence Examiner	4,009
Kansas City Drovers Telegram	16,897
Kirksville Express	4,804
Lexington Advertiser News	3,752
Mexico Ledger	2,801
Neosho Democrat	1,080
Rolla New Era	2,000
St. Louis Star Times	164,352
Warrensburg Star Journal	2,102

See footnotes on page 1146.

Newspaper	circulation* 1941
Nebraska:	
Columbus Telegram	4,806
Falls City Journal	4,020
McCook Gazette	4,389
Nebraska City News Press	4,095
Omaha Journal Stockman	[1] 18,252
Plattsmouth Journal	[1] 764
York Daily News-Times	2,318
Nevada:	
Carson City Appeal	650
Elko Free Press	1,974
Ely Times	1,790
Las Vegas Review Journal	6,027
Tonopah Times Bonanza	1,857
Winnemucca Humboldt Star	3,521
New Jersey:	
Camden Courier	56,082
Hoboken Observer	37,233
Red Bank Standard	3,500
Woodbury Times	7,908
[fol. 1440]	
New Mexico: Portales News	2,931
New York:	
Brooklyn Citizen	30,426
Brooklyn Eagle	97,601
Bronx Home News	104,381
Catskill Mail	3,175
Cohoes American	7,652
Dunkirk Observer	5,614
Hempstead Newsday	25,834
Herkimer Telegram	5,581
Jamaica Press	98,609
Long Island City Star-Journal	44,088
Middletown Times Herald	6,566
New York PM	89,578

See footnotes on page 1146.

Newspaper	*1941 Circulation**
Newburgh-Beacon News	10,341
North Tonawanda News	14,568
Olean Times Herald	11,716
Oneida Dispatch	3,714
Staten Island Advance	29,802
North Carolina:	
Henderson Times-News	3,240
Kinston Free Press	4,666
Reedsville Review	4,576
Statesville Record	3,324
Ohio:	
Ashland Times Gazette	6,653
Ashtabula Star Beacon	12,390
Bellaire Leader	5,700
Bellevue Gazette	2,226
Bucyrus Telegram Forum	5,516
Cambridge Jeffersonian	11,828
Celina Standard	4,005
Cincinnati Post	150,730
Cleveland Press	241,109
Columbus Citizen	73,338
Conneaut News-Herald	4,059
Coshocton Tribune	8,345
Dayton Herald	52,649
Delaware Gazette	3,623
Delphos Herald	1,575
East Palestine Leader Press	1,640
Elyria Chronicle Telegram	12,096
Fostoria Review	2,960
Freemont News Messenger	9,667
Galion Inquirer	2,918
Greenville Advocate	7,909
Kenton Democrat	2,783
[fol. 1441]	
Marietta Times	9,553
Martins Ferry Times	10,389

See footnotes on page 1146.

Newspaper	*1941 Circulation*
Ohio—Continued.	
Marysville Tribune	3,374
Niles Times	3,986
Norwalk Reflector-Herald	4,157
Painesville Telegraph	8,268
Piqua Call	7,279
Ravenna Record	7,447
Tiffin Advertiser Tribune	7,787
Troy News	3,754
Wapakoneta News	3,020
Xenia Gazette	5,531
Zanesville Signal	7,155
Oklahoma:	
Altus Times Democrat	4,219
Alva Review Courier	4,186
Anadarko News	3,926
Blackwell Journal	5,820
Clinton News	5,977
Cushing Citizen	4,080
Duncan Banner	5,228
Durant Democrat	4,755
Elk City News	4,312
Frederick Leader	2,998
Henryetta Free Lance	2,822
Hobart Democrat-Chief	3,756
Holdenville News	4,048
Huga News	1,981
Lawton Constitution	6,004
Mangum Star	4,210
Norman Transcript	5,189
Okemah Leader	2,746
Pawhuska Journal Capital	3,620
Perry Journal	3,981
Sapulpa Herald	3,496
Sayre Headlight Journal	2,807
Vinita Journal	3,480
Wewoka Times-Democrat	5,598
Woodward Press	4,283
Oregon:	
Albany Democrat-Herald	4,341
Ashland Tidings	2,203

Newspaper	*1941 Circulation**
Astoria Astorian Budget	4,982
Bend Bulletin	3,603
LaGrande Observer	2,400
Marshfield Coos Bay Times	5,657

[fol. 1442]

Pennsylvania:	
Altoona Mirror	25,122
Ambridge Citizen	4,759
Ashland News	2,990
Beaver Times	7,028
Berwick Enterprise	4,666
Bradford Star & Record	6,999
Butler Eagle	13,958
Cannonsburg Notes	4,313
Carlisle Sentinel	4,899
Charleroi Mail	3,182
Chester Times	25,079
Columbia News	3,821
Connellsville Courier	7,016
Du Bois Express	3,321
Erie Times	44,252
Franklin News Herald	7,401
Greensburg Tribune	5,915
Harrisburg News	61,871
Homestead Messenger	6,269
Huntingdon News	8,049
Jeannette News-Dispatch	4,922
Jersey Shore Herald	2,500
Kittanning Simpson's Leader-Times	8,068
Latrobe Bulletin	7,235
McKeesport News	24,528
Mahanoy City Record-American	6,195
Milton Standard	3,997
Monessen Independent	4,572
Monongahela Republican	3,841
Mount Carmel Item	4,875
New Kensington Dispatch	7,465
Norristown Times Herald	13,097
Philadelphia News	129,670
Pittsburg Press	228,818

Newspaper	*1941 circulation*
Pennsylvania—Continued	
Pittston Gazette	5,230
Pottsville Journal	10,235
Ridgeway Record	2,903
Shamokin News-Dispatch	12,015
Sharon Herald	15,520
Shenandoah Herald	6,407
Tamaqua Courier	4,524
Uniontown News Standard	16,735
Washington Reporter	6,952
West Chester Local News	9,407
South Dakota:	
Pierre Dakotan	850
Redfield Journal-Observer	4,285

[fol. 1443]

Tennessee:	
Athens Post Athenian	2,818
Cleveland Banner	3,560
Columbia Herald	3,110
Texas:	
Bay City Tribune	1,530
Bonhom Favorite	2,512
Breckenridge American	3,407
Brenham Banner-Press	3,786
Brownwood Bulletin	7,704
Childress Index	4,601
Cleburn Times-Review	5,801
Ennis News	2,383
Fort Worth Press	39,001
Gladewater Times-Tribune	4,201
Gonzales Inquirer	1,435
Goose Creek Sun	4,484
Henderson News	4,369
Houston Press	71,063
Kilgore News-Herald	6,025
Mexia News	4,432
Mineral Wells Index	2,609
Nacogdoches Sentinel	1,957
Ranger Times	2,675

Newspaper	*1941 circulation*
Sweetwater Reporter	5,092
Taylor Press	4,217
Terrell Tribune	3,811
Victoria Advocate	2,985
Waxahatchie Light	3,311
Utah:	
Logan Herald-Journal	5,158
Provo Herald	5,524
Virginia:	
Alexandria Gazette	7,173
Clifton Forge Review	1,631
Radford Star	1,100
Washington:	
Anacortes Mercury	[1] 2,130
Bremerton Sun	6,734
Mount Vernon Herald	3,353
Seattle Star	62,016
Tacoma Times	35,012
Walla Walla Union-Bulletin	14,531
West Virginia:	
Moundsville Journal	4,011
Parkersburg Sentinel	14,142
Weirton Times	3,548
[fol. 1444]	
Wellsburg Herald	3,198
Wheeling News Register	19,416
Wisconsin:	
Ashland Press	4,314
Baraboo News-Republic	4,025
Beaver Dam Citizen	3,635
Beloit News	11,451
Madison Wisconsin State Journal	24,469
Merrill Herald	4,458
Neenah News-Times	2,667

See footnotes on page 1146.

Newspaper	1941 circulation*
Wisconsin—Continued	
Portage Register-Democrat	1,755
Stoughton Courier-Hub	2,110
Watertown Times	5,332
Waukesha Freeman	5,375
Total	4,980,109

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise. Other source used only where no figure is reported in said *International Year Book.*

[1] N. W. Ayer & Son's *Directory of Newspapers and Periodicals, 1942.*

[2] All-day circulation as given in *Editor & Publisher's* "1942 International Year Book Number," distributed between morning and evening editions in the proportion of morning and evening editions shown by a report of Audit Bureau of Circulations.

[3] Average 1941 circulation as reported to the Department of Justice by the Post Office Department.

EXHIBIT No. 8

Daily morning English-language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were AP members on March 1, 1942.*

Newspaper	1941 circulation**
Mobile (Ala.) Register	24,508
Eureka (Calif.) Humboldt Times	6,300
Los Angeles (Calif.) Examiner	221,555
San Diego (Calif.) Union	32,791
San Francisco (Calif.) Examiner	165,734
Santa Barbara (Calif.) News Press	5,719
Wilmington (Del.) News	14,995
Washington (D. C.) Post	142,182

See footnotes on page 1148.

Newspaper	*1941 circulation*
Miami (Fla.) Herald	79,827
St. Petersburg (Fla.) Times	17,364
Atlanta (Ga.) Constitution	128,362
Augusta (Ga.) Chronicle	22,856
Savannah (Ga.) News	33,433
Springfield (Ill.) State Journal	40,578
Louisville (Ky.) Courier-Journal	120,442
Boston (Mass.) Record	326,506
[fol. 1445]	
Springfield (Mass.) Republican	14,664
Worcester (Mass.) Telegram	45,457
Grand Rapids (Mich.) Herald	48,946
Minneapolis (Minn.) Tribune	63,610
Jackson (Miss.) Clarion-Ledger	34,200
Springfield (Mo.) News	22,987
Omaha (Nebr.) World Herald	93,657
Albuquerque (N. M.) Journal	19,889
Albany (N. Y.) Times Union	44,347
Buffalo (N. Y.) Courier-Express	123,658
New York (N. Y.) Mirror	777,281
New York (N. Y.) Wall Street Journal	[1] 28,318
Rochester (N. Y.) Democrat-Chronicle	85,127
Cincinnati (Ohio) Enquirer	127,329
Cleveland (Ohio) Plain Dealer	233,640
Findlay (Ohio) Republican Courier	14,216
Tulsa (Okla.) World	65,966
Portland (Ore.) Oregonian	151,591
Harrisburg (Pa.) Patriot	16,438
Johnstown (Pa.) Democrat	20,819
Reading (Pa.) Times	26,988
Scranton (Pa.) Tribune	33,398
Providence (R. I.) Journal	39,198
Charleston (S. C.) News Courier	28,214
Memphis (Tenn.) Commercial Appeal	125,112
Nashville (Tenn.) Tennessean	72,887
Austin (Tex.) American	17,482
Beaumont (Tex.) Enterprise	31,966
Corpus Christi (Tex.) Caller	19,785

See footnotes on page 1148.

Newspaper	*1941 circulation***
El Paso (Tex.) Times	27,236
Seattle (Wash.) Post-Intelligencer	106,108
Charleston (W. Va.) Gazette	62,393
Milwaukee (Wis.) Sentinel	125,243
Total	4,131,302

* The following evening papers which received an INS night report as well as an INS day report were not included in this exhibit or Exhibit No. 9, but are included in Exhibit No. 10 or Exhibit No. 11:

Fresno (Calif.) Bee.
Modesto (Calif.) Bee.
Sacramento (Calif.) Bee.
Denver (Colo.) Post.
Chicago (Ill.) Herald-American.
Cedar Rapids (Iowa) Gazette.
Waterloo (Iowa) Courier.
Baltimore (Md.) News-Post.
Boston (Mass.) American.
Lowell (Mass.) Sun & Leader.
New York (N. Y.) Journal-American.
Upper Sandusky (Ohio) Chief.
Pittsburgh (Pa.) Sun-Telegraph.
Dallas (Tex.) Times-Herald.
San Antonio (Tex.) Light.
Fond du Lac (Wis.) Commonwealth Reporter.

** Average daily circulation as reported in *Editor and Publisher's* "1942 International Year Book Number."

[1] Receives AP service under contract between AP and Dow Jones & Co., Inc., providing for exchange of news. A copy of this contract was attached as Exhibit No. 10 to the interrogatories served by the plaintiff on the Associated Press in *United States* v. *Associated Press*, and AP's answer to Interrogatory No. 93 admitted said exhibit was a correct copy of AP's contract with Dow Jones & Co., Inc.

[fol. 1446] EXHIBIT No. 9

Daily morning English-language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were not AP members on March 1, 1942.*

Newspaper	*1941 circulation* **
Vallejo (Calif.) Times-Herald	9,653
Fort Launderdale (Fla.) Times	3,124
Indianapolis (Ind.) Commercial	1,175
Winchester (Ind.) Journal-Herald	1,610
Winchester (Ind.) News	1,725
Cleveland (Ohio) Daily Legal News	1,340
Total	18,627

* See note marked (*) to Exhibit No. 8.

** Average daily circulation as reported in *Editor and Publisher's* "1942 International Year Book Number."

EXHIBIT No. 10

Daily evening English-language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were AP members on March 1, 1942.

News service—newspaper	*1941 circulation*
Alabama:	
Mobile Press	33,306
Montgomery Journal	14,262
Arizona:	
Phoenix Gazette	21,562
California:	
Fresno Bee	48,513
Los Angeles Herald	243,924
Modesto Bee	12,672

See footnotes on page 1154.

Newspaper	*1941 circulation**
California—Continued	
Pasadena Star-News	21,278
Pomona Progress-Bulletin	7,228
Sacramento Bee	72,471
San Diego Tribune-Sun	51,289
San Francisco Call-Bulletin	106,524
San Jose News	18,621
Santa Ana Register	14,889
Santa Barbara News-Press	10,372
Stockton Record	26,262
Colorado:	
Denver Post	158,063
[fol. 1447]	
Connecticut:	
Bridgeport Post	47,039
Hartford Times	73,833
Delaware:	
Wilmington Journal	46,417
Florida:	
Miami News	46,463
Georgia:	
Atlanta Journal	160,729
Rome News Tribune	7,745
Savannah Press	18,621
Illinois:	
Bloomington Pantagraph	27,101
Champaign News Gazette	18,122
Chicago Herald American	455,764
DuQuoin Call	2,287
Elgin Courier-News	17,440
Galesburg Register-Mail	18,861
Kankakee Republican-News	15,063
Moline Dispatch	19,141
Peoria Journal-Transcript	45,900
Rockford Register-Republican	25,329

See footnotes on page 1154.

Newspaper	*1941 circulation*
Indiana:	
Fort Wayne News-Sentinel	66,469
Gary Post Tribune	30,872
Lafayette Journal & Courier	33,751
Marion Chronicle	9,965
Michigan City News-Dispatch	9,555
Shelbyville Democrat	4,777
South Bend Tribune	76,499
Iowa:	
Boone News-Republican	4,006
Cedar Rapids Gazette	44,344
Clinton Herald	18,801
Dubuque Telegraph-Herald	31,293
Waterloo Courier	36,102
Wichita Falls Beacon	81,616
Kentucky:	
Lexington Leader	21,270
Maryland:	
Baltimore News-Post	189,279
Kansas:	
Massachusetts:	
Boston American	156,875
Fall River Herald News	32,073
[fol. 1448]	
Lowell Sun & Citizen Leader	34,884
New Bedford Standard Times	47,721
Worcester Gazette	88,163
Michigan:	
Lansing State Journal	47,298
Pontiac Press	35,729
Port Huron Times-Herald	23,064
Ypsilanti Press	3,891
Minnesota:	
Minneapolis Star-Journal	240,172

See footnotes on page 1154.

Newspaper	1941 circulation*
Missouri:	
Kansas City Star	312,570
Springfield Leader-Press	32,322
Nebraska:	
Lincoln Star	23,452
Omaha World Herald	91,975
New Jersey:	
Elizabeth Journal	31,091
Passaic Herald News	35,556
Trenton Times	45,966
New Mexico:	
Albuquerque Tribune	14,012
New York:	
Albany Knickerbocker News	51,107
Binghamton Press	43,482
Jamestown Post-Journal	22,654
New York Journal-American	604,497
Rochester Times-Union	102,347
Syracuse Herald-Journal	103,637
Troy Times-Record	31,186
North Carolina:	
Greensboro Record	13,140
Ohio:	
Akron Beacon-Journal	107,453
Canton Repository	49,859
Cincinnati Times-Star	152,215
Cleveland News	123,832
Columbus Dispatch	153,085
East Liverpool Review	12,962
Ironton Tribune	5,641
Lima News	24,131
Lorain Journal & Times-Herald	16,125
Mansfield News Journal	21,037

See footnotes on page 1154.

Newspaper	*1941 circulation*
Marion Star	16,707
Portsmouth Times	19,521
[fol. 1449]	
Salem News	4,908
Steubenville Herald Star	22,090
Toledo Blade	157,461
Upper Sandusky Chief-Union	4,243
Youngstown Vindicator	71,060
Oklahoma:	
Enid Eagle	6,277
Pennsylvania:	
Allentown Chronicle	17,314
Bethlehem Globe-Times	21,355
Donora Herald American	3,902
Easton Express	35,651
Johnstown Tribune	32,591
Philadelphia Bulletin	477,021
Pittsburgh Sun Telegraph	163,289
Reading Eagle	42,579
Scranton Times	44,500
Rhode Island:	
Providence Bulletin	116,665
South Carolina:	
Greenville Piedmont	19,314
Tennessee:	
Chattanooga News-Free Press	48,324
Texas:	
Austin Statesman	15,054
Beaumont Journal	21,240
Corpus Christi Times	15,145
Dallas Times Herald	102,582
Fort Worth Star-Telegram	85,773
Port Arthur News	12,595
San Antonio Light	53,626
Wichita Falls Times	15,392

See footnotes on page 1154.

Newspaper	1941 circulation*
Utah:	
Salt Lake City Desert News	34,822
Salt Lake City Telegram	26,578
Wisconsin:	
Fond du Lac Commonwealth Reporter	13,648
Total	7,373,867

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise.

[1] All-day circulation as given in *Editor & Publisher's* "1942 International Year Book Number" distributed between morning and evening editions in the proportion of morning and evening editions shown by a report of Audit Bureau of Circulations.

[fol. 1450] EXHIBIT No. 11

Daily evening English-Language newspapers published in the United States which were receiving INS service on August 1, 1942, and which were not AP members on March 1, 1942.

Newspaper	1941 circulation*
Burlingame (Cal.) Advance	3,717
Oakland (Cal.) Post-Enquirer	48,217
Richmond (Cal.) Independent	7,708
Santa Rosa (Cal.) Republican	2,422
Vallejo (Cal.) Chronicle	8,991
Woodland (Cal.) Democrat	2,724
South Norwalk (Conn.) Sentinel	6,932
Willimantic (Conn.) Chronicle	3,475
Washington (D. C.) Times-Herald	[1] 84,700
Miami Beach (Fla.) Tropics	8,680
Eldorado (Ill.) Journal	1,696
Marion (Ill.) Republican	4,171

See footnotes on page 1157.

Newspaper	*1941 circulation**
Marseilles (Ill.) Press	1,380
Mattoon (Ill.) Journal-Gazette	6,927
Olney (Ill.) Mail	4,700
Springfield (Ill.) State Journal	8,759
Alexandria (Ind.) News	810
Bloomfield (Ind.) World	3,037
Bloomington (Ind.) Telephone	5,933
Clinton (Ind.) Clintonian	3,141
Franklin (Ind.) Star	3,897
Greenfield (Ind.) Reporter	2,447
Greensburg (Ind.) News	3,643
Hammond (Ind.) Times	27,837
Huntington (Ind.) News	[2]2,712
Noblesville (Ind.) Ledger	3,707
Richmond (Ind.) Palladium-Item	[1]12,265
Rochester (Ind.) News-Sentinel	3,287
Tipton (Ind.) Tribune	2,669
Washington (Ind.) Democrat	4,519
Atlantic (Iowa) News-Telegraph	4,649
Fairfield (Iowa) Ledger	4,514
Mt. Pleasant (Iowa) News	2,885
Nevada (Iowa) Journal	4,364
Vinton (Iowa) Cedar Valley Times	4,603
Bowling Green (Ky.) Times-Journal	6,131
Beverly (Mass.) Times	5,424
Clinton (Mass.) Item	2,864
Framingham (Mass.) News	6,672
Gloucester (Mass.) Times	7,629
[fol. 1451]	
Milford (Mass.) News	4,652
Newburyport (Mass.) News	5,299
North Attleboro (Mass.) Chronicle	2,950
Springfield (Mass.) News	48,432
Woburn (Mass.) Times	3,850
Detroit (Mich.) Times	319,885
St. Louis (Mo.) Star-Times	164,352
Bayonne (N. J.) Times	14,217
Camden (N. J.) Courier	56,082

See footnotes on page 1157.

Newspaper	*1941 Circulation*
Hoboken (N. J.) Jersey Observer	37,233
Cohoes (N. Y.) American	7,652
Endicott (N. Y.) Bulletin	5,990
Nyack (N. Y.) Journal-News	6,169
Staten Island (N. Y.) Advance	29,802
Tonawanda (N. Y.) Press	(3)
Bellefontaine (Ohio) Examiner	6,279
Bowling Green (Ohio) Sentinel-Tribune	4,317
Circleville (Ohio) Herald	3,768
Defiance (Ohio) Crescent News	4,303
Dover (Ohio) Reporter	6,911
Fostoria (Ohio) Times	3,184
Kenton (Ohio) News Republican	3,317
Martins Ferry (Ohio) Times	10,389
New Philadelphia (Ohio) Times	8,979
St. Marys (Ohio) Leader	2,518
Shelby (Ohio) Globe	2,300
Sidney (Ohio) News	7,752
Uhrichville (Ohio) Chronicle	3,496
Urbana (Ohio) Citizen	4,251
Wooster (Ohio) Record	11,090
Zanesville (Ohio) Signal	7,155
Portland (Ore.) Journal	147,159
Bradford (Pa.) Star-Record	6,999
Bristol (Pa.) Courier	3,529
Brownsville (Pa.) Telegraph	7,618
Connellsville (Pa.) Courier	7,016
Doylestown (Pa.) Intelligencer	4,631
Erie (Pa.) Times	44,252
Harrisburg (Pa.) News	61,871
Lewistown (Pa.) Sentinel	9,741
McKeesport (Pa.) News	24,528
New Castle (Pa.) News	18,308
Philipsburg (Pa.) Journal	2,650
Punxsutawney (Pa.) Spirit	5,430
Renovo (Pa.) Record	1,158
Tyrone (Pa.) Herald	3,202

See footnotes on page 1157.

Newspaper	*1941 Circulation**
[fol. 1452]	
Vandergrift (Pa.) News	4,597
West Warwick (R. I.) Pawtucket Valley Times	4,592
Amarillo (Tex.) Times	6,925
Austin (Tex.) Tribune	11,006
Cuero (Tex.) Record	1,603
Total	1,508,227

* Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise.

[1] All-day circulation given in *Editor & Publisher's* "1942 International Year Book Number" distributed between morning and evening editions in the proportion of morning and evening editions shown by a report of Audit Bureau of Circulations.

[2] N. W. Ayer & Sons' *Directory of Newspapers and Periodicals: 1942.*

[3] *Editor & Publisher's* "1942 International Year Book Number," N. W. Ayer & Sons *Directory of Newspapers and Periodicals: 1942* and *Standard Rate & Data Service: Newspaper Sections*, December 1941 do not list this paper.

EXHIBIT No. 12

Daily newspapers published in the United States not receiving news service of AP, UP, or INS, as listed in AP's answer to interrogatory No. 18, with their 1941 circulations.*

Morning Newspapers

Newspaper	*1941 circulation* **
Dubuque (Iowa) Tribune	7,088
Maysville (Ky.) Public Ledger	3,864
Hastings (Nebr.) Spotlight	5,170
Yonkers (N. Y.) Times	3,987
Ironton (Ohio) News	5,013
Manchester (Ohio) Signal	3,221
Belle Fourche (S. Dak.) Post	2,496
Total	30,839

Evening Newspapers

Newspaper	*1941 circulation*
Eufaula (Ala.) Tribune	3,824
Eureak Springs (Ark.) Times-Echo	710
Harrison (Ark.) Times	1,750
Siloam Springs (Ark.) Herald-Democrat	2,724
Cripple Creek (Colo.) Times-Record	1,187
Rocky Ford (Colo.) Gazette-Topic	2,500
Chicago (Ill.) Calumet	7,200
Effingham (Ill.) Record	[1] 1,894
Paxton (Ill.) Record	817
Wheaton (Ill.) Journal	2,752
[fol. 1453]	
Wood River (Ill.) Press	[1] 1,218
Woodstock (Ill.) Sentinel	3,882
Columbus (Ind.) Herald	[1] 950
Edinburg (Ind.) Courier	1,860
Jeffersonville (Ind.) News	2,724
New Albany (Ind.) Tribune	4,596
Rensselaer (Ind.) Republican	1,812
Spencer (Ind.) World	2,913
Cedar Falls (Iowa) Record	2,440
Augusta (Kans.) Gazette	1,876
Burlington (Kans.) Republican	2,463
Caldwell (Kans.) Messenger-News	1,538
Caney (Kans.) Chronicle	1,017
Columbus (Kans.) Advocate	2,340
Council Grove (Kans.) Republican	1,910
Goodland (Kans.) News	1,445
Hiawatha (Kans.) World	3,132
Larned (Kans.) Tiller & Toiler	1,350
St. John (Kans.) Capital	1,263
Glasgow (Ky.) News	2,837
Amesbury (Mass.) News	2,500
Chelsea (Mass.) Record	3,628
Malden (Mass.) News	10,014
Medford (Mass.) Mercury	4,263
Wakefield (Mass.) Item	3,484
Aurora (Mo.) Advertiser	800

See footnotes on page 1160.

Newspaper	1941 circulation*
Butler (Mo.) Democrat	[1] 407
Cameron (Mo.) News-Observer	1,020
Clinton (Mo.) Democrat	800
Independence (Mo.) News	[1] 100
Lamar (Mo.) Democrat	[2] 1,395
Rich Hill (Mo.) Review	533
St. Charles (Mo.) Banner-News	1,703
St. Charles (Mo.) Cosmos-Monitor	1,800
Webb City, (Mo.) Sentinel	400
West Plains (Mo.) Quill	1,296
Holdredge (Nebr.) Citizen	3,308
Ocean City (N. J.) Sentinel-Ledger	3,208
Dansville (N. Y.) Breeze	1,535
Medina (N. Y.) Journal-Register	2,418
Monticello (N. Y.) News	[1] 1,230
Saugerties (N. Y.) Post	903
Yonkers (N. Y.) Record	8,216
Dennison (Ohio) Paragraph	[1] 1,250
Geneva (Ohio) Free Press	2,011
Greenfield (Ohio) Times	3,510
Mechanicsburg (Ohio) Telegram	2,750
[fol. 1454] Toronto (Ohio) Tribune	2,243
Wellston (Ohio) Sentinel	[2] 1,850
Zanesville (Ohio) News	14,121
Claremore (Okla.) Messenger	[1] 1,500
Newkirk (Okla.) Reporter	617
Lansdale (Pa.) North Penn Reporter	3,836
Mechanicsburg (Pa.) Local News	[2] 1,060
Susquehanna (Pa.) Transcript	2,188
Cisco (Tex.) Press	3,147
Corpus Christi (Tex.) Chronicle	2,883
Dalhart (Tex.) Texan	3,873
Graham (Tex.) Reporter	1,184
Lampasas (Tex.) Leader	[1] 350
McKinney (Tex.) Courier-Gazette	1,843
Mart (Tex.) Herald	582
Navasota (Tex.) Examiner	700
San Benito (Tex.) Light	4,259
Timpson (Tex.) Times	[1] 220

See footnotes on page 1160.

Newspaper	*1941 Circulation**
Keyser (W. Va.) Mineral News-Tribune	3,378
Menasha (Wis.) Record	2,011
Total	187,975
Total circulation morning papers	30,839
Total circulation evening papers	187,975
Total	218,814

* Of the newspapers listed in the Answer to Interrogatory No. 18, the following are omitted from the above exhibit for the reasons stated: Lamar (Mo.) Republican and Athens (Tex.) Review are among the AP members listed in Exhibit F, attached to the Government's Complaint; Rogers (Ark.) News and Ennis (Tex.) News are among the UP subscribers listed in Exhibit No. 7; Huntington (Ind.) News and Tipton (Ind.) Tribune are among the INS subscribers listed in Exhibit No. 11.

** Average daily circulation as reported in *Editor & Publisher's* "1942 International Year Book Number," except where noted otherwise. Other source used only where no figure is reported in said *International Year Book*.

[1] Average 1941 circulation as reported to the Department of Justice by the Post Office Department.

[2] *Editor and Publisher's* "1943 International Year Book Number."

EXHIBIT No. 13

Morning Daily Newspapers

Circulation Over 200,000

*Newspaper**	*AP*	*Non AP*
New York (N. Y.) Daily News	x	
Chicago (Ill.) Tribune	x	
New York (N. Y.) Daily Mirror	x	

* Listed in order of circulation.

Newspaper	*AP*	*Non AP*
[fol. 1455] New York (N. Y.) Times	x	
Philadelphia (Pa.) Inquirer	x	
Boston (Mass.) Post	x	
New York (N. Y.) Herald-Tribune	x	
Detroit (Mich.) Free-Press	x	
Boston (Mass.) Record	x	
Kansas City (Mo.) Times	x	
Chicago (Ill.) Sun		x
St. Louis (Mo.) Globe Democrat	x	
Philadelphia (Pa.) Record	x	
Pittsburgh (Pa.) Post-Gazette	x	
Cleveland (Ohio) Plain Dealer	x	
Los Angeles (Calif.) Examiner	x	
Los Angeles (Calif.) Times	x	
Total	16	1
Circulation 100,000 to 200,000		
Des Moines (Iowa) Tribune-Register	x	
San Francisco (Calif.) Examiner	x	
Baltimore (Md.) Sun	x	
Portland (Oreg.) Oregonian	x	
Boston (Mass.) Morning Globe	x	
Washington (D. C.) Post	x	
New Orleans (La.) Times-Picayune	x	
Indianapolis (Ind.) Star	x	
Boston (Mass.) Herald	x	
Atlanta (Ga.) Constitution	x	
Cincinnati (Ohio) Enquirer	x	
Milwaukee (Wis.) Sentinel	x	
Memphis (Tenn.) Commercial Appeal	x	
Buffalo (N. Y.) Courier-Express	x	
Louisville (Ky.) Courier-Journal	x	
San Francisco (Calif.) Chronicle	x	
Dallas (Tex.) News	x	
Newark (N. J.) Star-Ledger	x	
Seattle (Wash.) Post Intelligencer	x	
Houston (Tex.) Post	x	
Total	20	0

Circulation 50,000 to 100,000

Newspaper **	*AP*	*Non AP*
Little Rock (Ark.) Arkansas Gazette	x	
Jacksonville (Fla.) Times-Union	x	
[fol. 1456] Miami (Fla.) Herald	x	
Tampa (Fla.) Tribune	x	
Fort Wayne (Ind.) Journal Gazette	x	
Sioux City (Iowa) Journal	x	
Wichita (Kans.) Eagle	x	
Shreveport (La.) Times	x	
Minneapolis (Minn.) Tribune	x	
St. Paul (Minn.) Pioneer Press	x	
Omaha (Nebr.) World-Herald	x	
Rochester (N. Y.) Democrat & Chronicle	x	
Syracuse (N. Y.) Post-Standard	x	
Charlotte (N. C.) Observer	x	
Greensboro (N. C.) News	x	
Raleigh (N. C.) News & Observer	x	
Columbus (Ohio) Ohio State-Journal	x	
Oklahoma City (Okla.) Oklahoman	x	
Tulsa (Okla.) World	x	
Nashville (Tenn.) Tennesseean	x	
Fort Worth (Texas) Star-Telegram	x	
San Antonio (Texas) Express	x	
Salt Lake City (Utah) Tribune	x	
Norfolk (Va.) Virginian-Pilot	x	
Richmond (Va.) Times Dispatch	x	
Spokane (Wash.) Spokesman-Review	x	
Charleston (W. Va.) Gazette	x	
Total	27	0

* Listed in order of circulation.

** Newspapers listed according to State in which published, with States in alphabetical order.

Circulation 25,000 to 50,000

Newspaper **	*AP*	*Non AP*
Birmingham (Ala.) Age-Herald	x	
Montgomery (Ala.) Advertiser	x	
Phoenix (Ariz.) Arizona Republic	x	
San Diego (Calif.) Union	x	
Denver (Colo.) Rocky Mt. News	x	
Hartford (Conn.) Courant	x	
Macon (Ga.) Telegraph	x	
Savannah (Ga.) Morning News	x	
Rockford (Ill.) Morning Star	x	
Springfield (Ill.) Illinois State Journal	x	
Evansville (Ind.) Courier	x	
Terre Haute (Ind.) Star	x	
Topeka (Kans.) Capital	x	
[fol. 1457] Bangor (Maine) News	x	
Portland (Maine) Press-Herald	x	
Springfield (Mass.) Union	x	
Worcester (Mass.) Telegram	x	
Grand Rapids (Mich.) Herald	x	
Duluth (Minn.) News-Tribune	x	
Jackson (Miss.) Clarion-Ledger	x	
Joplin (Mo.) Globe	x	
St. Joseph (Mo.) Gazette	x	
Union City (N. J.) Hudson Dispatch	x	
Albany (N. Y.) Times-Union	x	
Binghamton (N. Y.) Sun	x	
New York (N. Y.) Daily Worker		x
New York (N. Y.) Morning Telegraph		x
New York (N. Y.) Wall Street Journal [1]	x	
Schenectady (N. Y.) Gazette	x	

** Newspapers listed according to State in which published, with States in alphabetical order.

[1] Receives AP service under contract between AP and Dow Jones & Co., Inc., providing for exchange of news. A copy of this contract was attached as Exhibit No. 10 to the interrogatories served by the plaintiff on The Associated Press in *United States* v. *Associated Press*, and AP's answer to Interrogatory No. 93 admitted said exhibit was a correct copy of AP's contract with Dow Jones & Co., Inc.

Newspaper**	AP	Non AP
Asheville (N. C.) Citizen	x	
Winston-Salem (N. C.) Journal	x	
Dayton (Ohio) Journal	x	
Toledo (Ohio) Times	x	
Allentown (Pa.) Morning Call	x	
Reading (Pa.) Times	x	
Scranton (Pa.) Tribune	x	
Wilkes-Barre (Pa.) Record	x	
Providence (R. I.) Journal	x	
Charleston (S. C.) News & Courier	x	
Columbia (S. C.) State	x	
Greenville (S. C.) Daily News	x	
Chattanooga (Tenn.) Times	x	
Knoxville (Tenn.) Times	x	
Beaumont (Texas) Enterprise	x	
El Paso (Texas) Times	x	
Roanoke (Va.) Times	x	
Total	44	2

	AP	Non-AP	Total
Circulation over 200,000	16	1	17
Circulation 100,000 to 200,000	20	0	20
Circulation 50,000 to 100,000	27	0	27
Circulation 25,000 to 50,000	44	2	46
Total	44		2

[fol. 1458] EXHIBIT No. 14

Instances in which only one daily newspaper is published in a city and such newspaper is an AP member and has an asset value contract with both UP and INS.

Fresno (Calif.) Bee.
Modesto (Calif.) Bee.
Stockton (Calif.) Record.
Gary (Ind.) Post-Tribune.

** Newspapers listed according to State in which published, with States in alphabetical order.

South Bend (Ind.) Tribune.
Cedar Rapids (Iowa) Gazette.
Waterloo (Iowa) Courier.
Fall River (Mass.) Herald-News.
Lansing (Mich.) State Journal.
Pontiac (Mich.) Press.
Omaha (Nebr.) World-Herald.
Passaic (N. J.) Herald-News.
Akron (Ohio) Beacon-Journal.
Canton (Ohio) Repository.
Lorain (Ohio) Journal.
Mansfield (Ohio) News Journal.
Youngstown (Ohio) Vindicator.

Instances in which only daily newspapers published in a city are under common control and such newspapers are AP members and have asset value contracts with both UP and INS.

(Mobile (Ala.) Press.)
(Mobile (Ala.) Register.)
(Phoenix (Ariz.) Gazette.)
(Phoenix (Arix.) Republic.)
(Wilmington (Del.) Journal.)
(Wilmington (Del.) News.)
(Savannah (Ga.) News.)
(Savannah (Ga.) Press.)
(Springfield (Mo.) News.)
(Springfield (Mo.) Leader and Press.)
(Johnstown (Pa.) Democrat.)
(Johnstown (Pa.) Tribune.)
[fol. 1459] (Providence (R. I.) Journal.)
(Providence (R. I.) Bulletin.)
(Charleston (S. C.) News and Courier.)
(Charleston (R. C.) Post.)
(Beaumont (Tex.) Enterprise.)
(Beaumont (Tex.) Journal.)

Instances in which only morning newspaper, or only evening newspaper, published in a city is an AP member and has an asset value or an exclusive contract with both UP and INS.

Pasadena (Calif.) Star-News.
Sacramento (Calif.) Bee.

San Jose (Calif.) News.
Bridgeport (Conn.) Post.
Hartford (Conn.) Times.
Miami (Fla.) Herald.
Peoria (Ill.) Journal-Transcript.
Rockford (Ill.) Register-Republic.
Dubuque (Iowa) Telegraph Herald.
New Bedford (Mass.) Standard Times.
Trenton (N. J.) Times.
Albany (N. Y.) Knickerbocker News.
Rochester (N. Y.) Democrat & Chronicle.
Allentown (Pa.) Chronicle.
Harrisburg (Pa.) Patriot.
Greenville (S. C.) Piedmont.
Austin (Tex.) American.
El Paso (Tex.) Times.

AFFIDAVIT OF JOHN HENRY LEWIN

DISTRICT OF COLUMBIA,
City of Washington, ss:

John Henry Lewin, being duly sworn, deposes and says:

I am a Special Assistant to the Attorney General of the United States and one of the attorneys for the plaintiff in the above entitled case. On March 26, 1943, I wrote and caused to be mailed to Timothy N. Pfeiffer, Esq., one of the attorneys for the defendants the letter, a correct copy of which is attached hereto and made a part hereof and marked Exhibit A. As appears from the letter, I requested counsel [fol. 1460] for the defendants to augment the answer which The Associated Press had served on March 24, 1943, to plaintiff's Interrogatory No. 120 served January 26, 1943, to include therein the number of string reporters of each of the members of The Associated Press specifically named defendants.

On or about May 17, 1943, I received by mail from Timothy N. Pfeiffer, Esq., the document entitled STRING MEN, the original of which is attached hereto and made a part hereof and marked Exhibit B. Exhibit B was enclosed in a letter received by me from Timothy N. Pfeiffer, Esq., dated May 15, 1943, the original of which letter is attached hereto and made a part hereof and marked Exhibit C.

In answer to Interrogatory No. 102 served by plaintiff upon the attorneys for The Associated Press January 26, 1943, the attorneys for The Associated Press furnished the plaintiff with the 25th volume of the annual reports of The Associated Press. Certain excerpts from this volume dealing with or relating to consideration of the application for membership in The Associated Press by the owner of the Baltimore Evening Sun are correctly set forth in Exhibit D. attached hereto and made a part hereof.

John Henry Lewin.

Subscribed and sworn to before me a Notary Public of the District and City aforesaid this 28th day of May, A. D. 1943. Witness my hand and notarial seal. Dorothy Heale, Notary Public. (Seal.)

EXHIBIT A

225 Broadway, New York, New York

60-127-19 March 26, 1943.

Timothy N. Pfeiffer, Esquire, Milbank, Tweed & Hope, 15 Broad Street, New York, New York

Re: United States v. The Associated Press.

DEAR MR. PFEIFFER: I wish to call your attention to the fact that we do not regard Interrogatory No. 120 as having [fol. 1461] been fully answered by the response to that interrogatory which you served upon me March 24th. You explained to me that the number of full-time reporters and part-time reporters given in the answer does not include the reporters of these newspapers commonly known as "string men", who are regarded by the papers as independent contractors. Clearly the word "reporters" is a broader term than the word "employees" and the information relating to these string men was called for.

Will you be kind enough to augment the answer to this interrogatory so as to supply the indicated information at your earliest convenience.

Very truly yours, (S.) John Henry Lewin, Special Assistant to the Attorney General.

EXHIBIT B

String-Men

Des Moines Register	260
The Adrian Telegram	24
Buffalo Evening News	None
Baltimore Sun	86
Philadelphia Bulletin	182
Cleveland Plain Dealer	107
Atlanta Constitution	175
Spokane Spokesman-Review	120
Washington Star	13
Kansas City Star	115
Oklahoman	81
Rocky Mount Telegram	19
St. Louis Globe Democrat	60
San Angelo Evening Standard	41
Times Picayune	119
Chicago Tribune	947
Oakland Tribune	None
Worcester Telegram	None

[fol. 1462] [Copy]

EXHIBIT C

Milbank, Tweed & Hope,
New York, May 15, 1943.

Re: United States vs. Associated Press, et al.

John Henry Lewin, Esq., Department of Justice, Antitrust Division, Washington, D. C.

DEAR MR. LEWIN: In accordance with our telephone conversation of May 14, I am enclosing the answers of The Associated Press to plaintiff's interrogatories Nos. 45 and 46. It is agreeable to us as counsel for the specifically named defendants, other than the Tribune Company and Robert R. McCormick, that the enclosed answers to these interrogatories be considered as included among those previously verified by Mr. McLean.

Very truly yours, (S.) Timothy N. Pfieffer.

EXHIBIT D

The following discussion took place:

President Noyes: The first application for membership is on behalf of The Baltimore Evening Sun, the applicant being Van Lear Black. This is subject to the protest rights of the Morning Sun, the Baltimore American and the Baltimore News. Mr. Brisbane and Mr. Cullen, of the Baltimore American and the Baltimore News, have not waived their protest, and have stated that they wished to appear before the Annual Meeting to object.

Mr. Patterson!

Mr. Paul Patterson (Baltimore Sun): Mr. President and Gentlemen:

. . . . . .

The Sun papers, morning and evening, are the only newspapers published in Baltimore whose owners do not have [fol. 1463] any financial interest in news-services competing with The Associated Press. There are five papers published in Baltimore—two morning and three evening. One of the morning papers is the Baltimore American, owned by Mr. Hearst. This is a copy of it (showing paper).

The other morning paper is The Sun. I hope it needs no further introduction.

The evening papers are The Evening Sun, The Post and The News. This is The Evening Sun (showing paper), published by the same people that publish the Morning Sun—Baltimore ownership all the way through.

This is The Post (showing paper), a tabloid paper, owned by the Scripps-Howard organization. It is very closely allied, therefore, with the United Press.

This is The News (showing paper), owned by Mr. Hearst: It is the only evening Associated Press newspaper in Baltimore.

The Baltimore News is the paper which, under the direction of Charles H. Grasty, became one of the great evening Associated Press newspapers of the country. Under the management of Mr. Grasty, and later under the ownership of Mr. Munsey, it stood with The Washington Star, The Philadelphia Bulletin, The Cleveland News, the Indianapolis News, The Chicago Daily News, The Buffalo News—all that great series of papers under that name—in maintain-

ing the prestige of the evening Associated Press newspapers.

It was a conservative newspaper that at all times emphasized and advertised the fact that it was the evening Associated Press newspaper of Baltimore. The Baltimore News in those days was one of the great group that, by their excellent newsgathering facilities, helped to build up the evening report of The Associated Press.

I am not in a position to say how the news service given by the Baltimore News of today to The Associated Press compares with that of former years; but I do know that your representative in Baltimore has gladly taken advantage of The Evening Sun's willingness to help him out in emergencies.

We know, too, that The Evening Sun is covering the field very thoroughly, we hope accurately—we try to be accurate [fol. 1464] — and nonsensationally. Our staff is made up of men who are thoroughly familiar with local conditions and local news sources.

I can say, however, that The Baltimore News no longer impresses the reader as the Associated Press paper in the evening field. Under former management the fact that The News was the only Associated Press newspaper in the evening field was always carried in a conspicuous announcement on the first page, and featured in all of their advertising. They were always pounding home the idea that The News was the great evening Associated Press newspaper. They dwelt on this so constantly that the whole city was impressed with the value and importance of the evening Associated Press service.

Now, this is all changed. The whole practice of advertising The Associated Press and emphasizing its value to the reader has been abandoned. A glance at its telegraph news any day is sufficient to bear out the assertion that The Associated Press is played down as much as possible, and all emphasis given to the International News Service and the Cosmopolitan News Service—the two evening news services owned by Mr. Hearst.

* * * * * * * *

That these Hearst news services seek every opportunity to emphasize and claim their superiority at the expense of The Associated Press is shown by the circular recently sent out to newspaper publishers by the International News

Service, in which effort is made to show the inaccuracy of The Associated Press. You have a copy of this circular attached to the facsimile of the front page of The News.

* * * * * * *

Can The Associated Press afford to leave exclusive membership in the hands of a formidable competitor whose interests lie in breaking down, not building up, The Associated Press?

Is it not clear that the real interests of The Associated Press in Baltimore will best be served by admitting to membership The Baltimore Evening Sun, a paper that has no financial interest in any other news service; a paper that is associated with the ownership of one of the original members of this Association, a paper that has done everything it can to further the good of this organization?

[fol. 1465] We believe the facts we have submitted warrant this conclusion, and upon that basis we ask your favorable vote.

* * * * * * *

Mr. William A. De Ford: Mr. President and Gentlemen: I seek on behalf of the Baltimore American, the Hearst morning newspaper represented in the membership of this body, to call your attention to a few plain facts, and then submit them for your impartial consideration and action:

* * * * * * *

The admission of The Sun would strip The News of whatever value inheres in its exclusive membership in that field. And I might say, in passing, that if this body is acting upon principle as reflected in precedent, and assuming that the precedent that it establishes here today will be followed out hereafter, this body would establish a precedent which would have the effect of stripping whatever value inheres in exclusive membership for any particular field of any newspaper which is represented in this membership.

Third: The value of The News is property right. The News property right might and would be seriously impaired by granting membership to a competitor which would improve its service. This reasoning applies with equal force to a similar application made by any other newspaper, or an application for membership in this body, as against the property right and the privileges and benefits

that inhere in a newspaper represented in this body and operating exclusively in either the morning or the evening field.

* * * * * * *

My second reason for opposing the granting of this application is that the application of The Sun should be denied upon the precedent of the action taken by the Association upon other applications made under substantially similar conditions.

The City of St. Louis had by the Census of 1920, a population of 772,697. Only one morning paper in St. Louis is represented in the membership of The Associated Press.

The City of Cleveland, by the Census of 1920, had a population of 796,836. Only one morning paper in Cleveland is represented in the membership of this Association. [fol. 1466] The City of Detroit, by the Census of 1920, had a population of 993,739. Only one morning paper of Detroit is represented in the membership of this Association.

Only one evening newspaper is represented in two of these three cities in the membership of this Association.

Los Angeles, California, had by the Census of 1920, a population of 575,073. The Express is the only evening paper of Los Angeles represented in the membership of this Association. The application of the evening Hearst newspaper in Los Angeles for representation in the membership of this Association was denied.

The population of Detroit, as shown by the Census of 1920, was as has been stated, 993,739. The News is the only evening paper of Detroit represented in the membership of this Association. The application of The Times, a Hearst newspaper, for representation in the membership of the Association was denied.

The City of Atlanta, by the Census of 1920, had a population of 200,616. The Journal, a non-Hearst newspaper, is the only evening newspaper in Atlanta represented in the membership of this Association. The application of the evening Hearst newspaper published in the City of Atlanta for admission to the membership of this Association was denied, the application having been made under a preceding management.

The situation at Boston is practically identical in principle. The population of Boston, as shown by the Census

of 1920, was 747,923. The Globe, The Transcript and The Traveller of Boston were for many years the only evening newspapers represented in the membership of The Associated Press; while the American, the Hearst paper, was not admitted into the membership until it bought The Record, which was a member.

The situation in Washington is somewhat similar. The population of Washington, as shown by the Census of 1920, was 437,571. The Post is the only morning newspaper, and The Star is the only evening newspaper of Washington represented in the membership of this Association.

And I may pause here to ask this question: Is the Association ready to grant membership to the Hearst news- [fol. 1467] papers of Washington—the Herald and The Times—one a morning, and the other an evening paper?

. . . . . .

Mr. John T. Lyons (General Manager, Baltimore News):

. . . . . .

You know, when you figure your newspaper properties, you figure that your A. P. membership has a very definite value—and you have figured it yourselves for many years on that basis. But if you are going to allow a loyal member not to get the full benefit of it, then the financial asset which you consider the A. P. membership to be, cannot be considered as such by you in the future.

. . . . . .

Mr. C. P. J. Mooney (Memphis, Tenn., Commercial-Appeal):

. . . . . .

The common law of The Associated Press has been such that a member in a certain city, or in any city, had a right to protection in those privileges that his membership gave him. . . .

. . . . . .

Colonel Ewing: I have some interest in this matter. I have two Associated Press newspapers, and I think that this affects every man who has a right to use The Associated Press. . . . .

. . . . . .

But I will say to the credit of The Associated Press Directorate that they have always, as far as I have any knowledge, refused to grant the right of the use of the service, or to elect to membership a member where that conflicted with the interests and welfare of the member in that city.

. . . . . .

Mr. De Ford:

. . . . . .

Now, it has been said—I think Mr. Ochs suggested that he cannot conceive, he cannot see how we can possibly be injured by the granting of this new evening membership in the city of Baltimore. And then he followed that up by saying that we were asked—and he said it was a matter for [fol. 1468] very careful consideration—that we were asked to grant to the Baltimore News a membership that was worth hundreds of thousands of dollars. Now, why is that membership worth hundreds of thousands of dollars? Why, it is because it brings something to the Baltimore News that the Baltimore News never had before. It is because it brings strength to the Baltimore News as a competitive factor in that field, that the Baltimore News never had before.

(Cries of "You mean Baltimore Sun.")

Mr. De Ford: I mean the Baltimore Sun. I see that you are determined that the sun shall shine. And we want it to shine. But we want it to shine in Baltimore, but not as a member of this Association.

Now, just put this question to yourselves, Gentlemen: If you had a membership in the evening field in Baltimore and another paper was applying for a membership in that field, to run a newspaper in competition with you, would you think that your business was injured or that your property rights would be impaired? Of course you would. And you would be against it, as the membership of this Association has always been against applications of this character in supporting rights of protest properly exercised.

Affidavit of Virginia M. Marino

State of New York,
County of New York, ss:

Virginia M. Marino, of lawful age, being duly sworn, deposes and says:

That she is an employee of the Department of Justice of the United States of America, being a Senior Sfenographer attached to the New York office of the Antitrust Division of said department; that she was appointed to such Division on September 16, 1942, and has been continuously employed with it since that date.

Deponent has personal knowledge that the following facts are true:

On or about March 13, 1943, deponent was directed by John Henry Lewin, Special Assistant to the Attorney Gen-[fol. 1469] eral, of counsel for the Plaintiff in the case of United States v. The Associated Press, Civil Action No. 19-163, now pending in the United States District Court for the Southern District of New York, to examine documents produced by the defendant, The Associated Press, designated and known as "Comparisons" or "beat" records, relating to the instances in which The Associated Press was ahead of the United Press Associations, or "beat", said association, "scooped" it, anticipated it in time, or excelled it in accuracy or completeness in reports of news events furnished to newspapers. Said documents and said examination of same also covered instances, during the period covered by the "beat" records, where the United Press Associations was recorded as having been ahead of, having anticipated in time of release to newspapers, or as sometimes stated, having "beat" The Associated Press, in furnishing reports of news events to newspapers. Said "comparisons" or "beat" records of The Associated Press were produced for examination at the offices of the law firm of Messrs. Milbank, Tweed, and Hope, 15 Broad Street, New York, New York, attorneys for defendant The Associated Press, and were produced as being the original office records compiled and maintained by The Associated Press, relating to "comparisons" or "beats" occurring in the furnishing of reports of news events to newspapers. Deponent is informed and believes, and therefore avers, that said documents were produced by The Asso-

ciated Press, in answer to Interrogatories served upon it by the plaintiff, United States of America, on January 26th and 29th, 1943, and, particularly in answer to the following Interrogatories:

> 10. State whether, and to what extent, The Associated Press has, during the years 1938 to 1942, inclusive, kept reports or records of the "beats" or instances in which the reports of The Associated Press of news events have anticipated in time, or excelled in accuracy or completeness, the reports of the same news events by the United Press Associations or International News Service.
>
> 11. State whether, and to what extent, The Associated Press has, during the years 1938 to 1942, inclusive, kept reports or records of the "beats" or instances in which [fol. 1470] the reports of news events of United Press Associations or International News Service have anticipated in time, or excelled in accuracy or completeness, the reports of the same news events of The Associated Press.

and were further produced pursuant to the demands of Paragraphs 12 and 13 of said Interrogatories supplementing Paragraphs 10 and 11 set forth above.

The records so produced and studied by deponent and an assistant, as is hereinafter more fully described, consisted of so-called "Comparison" sheets made up on a daily basis. Said daily "comparison" schedules are grouped together and were submitted in thirty folders purporting to be records combined on a monthly basis pertaining to all the months of the period extending from May 1940 through December 1942. With the exception of some few instances in which daily "comparison" sheets did not appear to have been made up and were not submitted for particular days, said records reflected "beats" scored by each of the aforesaid news agencies over the other and they covered practically every day of each month of the period beginning May 1, 1940, and ending December 18, 1942.

Deponent was directed to study said "beat" records for the purpose of preparing a tabulation which would correctly set forth for each day covered by the records, the number of "beats" which each of said two press agencies was reported as having obtained over the other, and would set forth the

maximum and minimum length of time of the day's AP "beats" and of the day's UP "beats," and to arrive at a total for each month of the "beats" scored by each news organization over the other.

Deponent has continuously examined said daily "comparisons" or "beat" records of The Associated Press from the date said inspection first commenced, i. e., from on or about March 13, 1943, to April 4, 1943. Throughout the period of the examination of such records by deponent she was assisted during most of that time by Margaret M. Murray, Senior Stenographer employed by the Department of Justice and attached to the New York office of its Antitrust [fol. 1471] Division, who for the purposes of said examination of documents worked directly in conjunction with and under the observation and supervision of your deponent.

Examination of the "Comparisons" or "beat" records disclosed the data important to the preparation of a tabulation mathematically portraying the "beats" obtained by one press news agency over the other to be, first, the designation in the left-hand column of the daily comparison sheet showing the type of news story reported and, in some cases, other descriptive matter or data; second, the information contained in the last two columns on the right-hand margin of each daily comparison page, i. e., notations of the particular times, fixed in terms of hours and minutes, at which The Associated Press and United Press Associations respectively furnished news reports of the particular event.

A copy of such a daily comparison sheet is attached hereto and marked "Exhibit A."

Deponent is informed and therefore avers that "stars" or asterisks have been placed in nearly all instances opposite the earlier of the two times set out in the last two columns, to indicate which of the two press news agencies secured a "beat" in furnishing a news report of the particular event.

In the records produced by The Associated Press, the deponent counted the number of "beats" obtained by The Associated Press over the United Press Associations, and vice versa, and recorded the daily maximum and minimum range of time of the "beats" secured during that day by each of said organizations and made such count and such record separately for foreign news reports and domestic news reports. The information thus obtained is tabulated,

as to foreign news reports, in Exhibit B and, as to domestic news reports, in Exhibit C, which exhibits are attached hereto and made a part hereof. Each exhibit shows at the end of each month the number of "beats" obtained during the month by each of the organizations and at the end of each exhibit the monthly figures are totaled to show the number of "beats" obtained by each organization during the period of time covered by the "comparisons" records produced by The Associated Press.

[fol. 1472] In tabulating the information set forth in Exhibits B and C, deponent and her assistant, in order to avoid any possible overstatement of the "beats" of The Associated Press and in order to limit the results shown to clearly defined "beats," eliminated from the count of "beats" (1) all instances in which, while the "comparisons" records of The Associated Press reported a "beat" for The Associated Press, the record was incomplete in its substantiating data and (2) all instances which were susceptible of being interpreted as other than a clearly defined "beat" by one news agency over the other. The items or instances which were thus omitted from the tabulations are explained in the three following paragraphs.

(1) In many instances The Associated Press is indicated, by an identifying star, as having scored a "beat" over United Press Associations, but the time at which the latter furnished a news report of the event is not indicated. All such instances have been omitted from the tabulation.

(2) Reports of news events which were designated on the "comparisons" records as "exclusive" have been omitted from the tabulation.

(3) In some cases a question mark was placed opposite the times at which, as shown by the records, the news agencies reported an event. While deponent is informed, and therefore avers, that these question marks indicated a question as to the accuracy of the news reports rather than a question as to the accuracy of the times at which the news agencies reported the event, all such cases have been omitted from the tabulation.

After eliminating all the questionable items described above, the tabulations made by deponent and set forth in Exhibits B and C show that, of 13,680 foreign "beats," The

Associated Press was ahead on 9,625, or 70.4%; of 5,067 domestic "beats," The Associated Press was ahead on 3,848, or 75.9%; and of 18,747 foreign and domestic "beats," The Associated Press was ahead on 13,473, or 71.9%.

Virginia M. Marino.

Subscribed and sworn to before me this 6th day of May, 1943. Leo Cohen, Notary Public. (Seal.)

[fol. 1473] EXHIBIT A

This document has been omitted in printing.

EXHIBIT B

This document has been omitted in printing.

EXHIBIT C

This document has been omitted in printing.

AFFIDAVIT OF N. S. MACNEISH

STATE OF NEW YORK,
County of New York, ss:

N. S. Macneish, being duly sworn, deposes and says that he is Vice President and Assistant Secretary of the New York World-Telegram Corporation; that he has personal knowledge of the following facts and that the following facts are true:

Consolidated Newspaper Corporation was organized under the laws of the State of New York in 1931. On January 31, 1931 said corporation purchased The World, a daily morning newspaper published in the city of New York, The Evening World, a daily afternoon newspaper and The Sunday World, a Sunday newspaper, from the Press Publishing Company. Part of the assets so acquired was a

membership in the Associated Press which, under the by-laws of The Associated Press, would terminate if the member or its successor should cease to be the owner of a morning newspaper published in the city of New York. In order to prevent the termination of said membership in The Associated Press acquired by Consolidated Newspaper Corporation, it, on or prior to January 31, 1931, organized and owned all of the stock of The New York Repository Corporation which thereafter published and circulated in the city of New York a daily (except Monday morning) newspaper known as The New York Repository and to which was trans- [fol. 1474] ferred the membership in the Associated Press formerly owned by The World..

Consolidated Newspaper Corporation entered into an agreement dated as of July 16, 1931 with News Syndicate Co., Inc., a New York Corporation, a correct copy of which is attached hereto and marked Exhibit A. The provisions of said agreement were carried out by the parties thereto except insofar as the provisions thereof were contingent upon events occurring on and after February 7, 1933. Prior to February 7, 1933 the name of Consolidated Newspaper Corporation was changed to New York World-Telegram Corporation.

New York World-Telegram Corporation entered into an agreement dated February 7, 1933 with News Syndicate Co., Inc., a correct copy of which agreement is attached hereto and marked Exhibit B. The provisions of said agreement were carried out by the parties thereto.

During the period from July 16, 1931 to February 7, 1933 the regular weekly assessment paid by the New York Repository Corporation to The Associated Press was $645.76.

(Signed) N. S. Macneish.

Subscribed and sworn to before me this 14th day of January, 1943. (Signed) James E. Renne, Notary Public. James E. Renne, Notary Public, Columbia County. Cert. filed N. Y. Co. Clk's No. 964, Reg. No. 4-B-779. Commission Expires March 30, 1944. (Seal.)

Exhibit A

This Agreement, dated as of the 16th day of July, A. D. 1931, by and between Consolidated Newspaper Corporation, a New York Corporation (hereinafter sometimes referred to as CNC), First Party, and News Syndicate Co., Inc., a New York corporation (hereinafter sometimes referred to as the Syndicate), Second Party, witnesseth, that

Whereas, CNC is the owner and publisher of the daily (except Monday) morning newspaper published and circulated in the City of New York and known as The New York [fol. 1475] Repository (hereinafter sometimes referred to as the newspaper or as the Repository), and is also the holder of a membership in The Associated Press, in the name of Thomas L. Sidlo, entitling said CNC to the use of the news reports of said The Associated Press for publication in said Repository (which membership in said The Associated Press is hereinafter sometimes referred to as the membership); and

Whereas, the Syndicate desires to acquire a one-half interest in a corporation which shall own said newspaper and said membership, and CNC is willing to sell, assign and transfer such an interest to the Syndicate in the manner and upon and subject to the terms and conditions hereinafter set forth.

Now, therefore, in consideration of the Sum of One Dollar ($1.00) paid to First Party by Second Party, and of the payments to be made as hereinafter provided, and of the several agreements of the parties as hereinafter set forth, it is hereby mutually agreed as follows:

(1) As soon as possible after the execution and delivery of this agreement CNC agrees to cause a corporation to be organized under the laws of the State of New York under the name of "The New York Repository Corporation," having a Board of four directors, and having such powers, number and class of shares, etc., as shall be satisfactory to CNC, to assign, transfer and convey, or cause to be assigned, transferred and conveyed, to said corporation the said newspaper and all right, title and interest of CNC in and to said membership in consideration of and in exchange for all of the shares of the authorized capital stock of said corporation, to cause said The New York Repository Corporation to succeed to the membership of CNC in said The

Associated Press, assigning and transferring to said The New York Repository Corporation its certificate of membership, to cause said The New York Repository Corporation to be formally elected to membership and qualify as a member of said The Associated Press as provided in the By Laws thereof, and to cause to be elected as two of the four directors of said The New York Repository Corporation two persons named for that office by the Syndicate. Immediately upon the issuance to CNC of said shares, CNC agrees to sell, assign and transfer to the Syndicate fifty [fol. 1476] percent (50%) of all of the shares of the capital stock of said The New York Repository Corporation, and simultaneously with the delivery to the Syndicate of certificates of said The New York Repository Corporation, representing said shares (issued either in the name of the Syndicate or in the name of CNC and duly endorsed in blank for transfer), the Syndicate agrees to pay over to CNC the sum of Two Hundred and Twenty-five Thousand Dollars ($225,000) in cash. Within ten (10) days after the delivery of said shares to the Syndicate and the payment of said sum, each of the parties hereto agrees to deposit in escrow with the National City Company as escrow agent, all of their respective certificates representing all of the authorized and issued shares of said The New York Repository Corporation to be held by such agent during the term of this agreement and to be delivered in accordance with the terms hereof. CNC agrees to provide for the maintenance of the corporate existence of said The New York Repository Corporation so long as this agreement shall be in effect.

(2) Both parties hereto agree to share equally all expenses (except counsel fees) incurred by either in the organization, maintenance and operation of said The New York Repository Corporation and/or in the publication and circulation of the Repository during the two-year period commencing July 16, 1931, and ending July 15, 1933, and to be mutually responsible for the continued publication and circulation of said newspaper and to keep the expenses in connection therewith at as low a figure as possible consistent with the proper publication and operation of said newspaper.

(3) Either party hereto shall have the right and privilege, during said two-year period, to negotiate for the sale of said Repository and of said membership (neither of which shall

be sold without the other), or of the shares in the corporation owning said newspaper and membership to any person, firm, association or corporation, except as hereinafter provided, but neither party shall make or execute any binding agreement of sale without the prior written consent of the other. Neither said newspaper and membership nor said shares shall be sold or transferred (directly or indirectly) to any morning tabloid newspaper circulating in the City of [fol. 1477] New York (other than the Syndicate), and neither party shall have the right to negotiate for such a sale or to receive any offer from any morning tabloid newspaper (other than the Syndicate). In the event either party hereto, with the consent of the other and during said two-year period, shall enter into a binding agreement of sale for said newspaper and membership, or said shares, and the same shall be sold and transferred pursuant thereto, the proceeds of any such sale shall be divided equally between the parties hereto and each party hereby agrees to execute and deliver such instruments, or to cause the same to be done, as shall be necessary to evidence the transfer and conveyance of, and to transfer and convey to the purchaser, all right, title and interest of both parties in and to said Repository and said membership, or in said shares. In the event, however, that either party hereto shall not assent to the consummation of any bona fide firm offer or agreement for the purchase of said newspaper and said membership, or said shares, received from a third party and submitted to the other party hereto for concurrence therein, the nonassenting party hereto shall thereupon be obligated to pay equivalent to one-half (½) of the purchase price proposed to be paid by such third party, and the party submitting said offer shall be obligated to transfer to said nonassenting to the party hereto submitting such offer to it a sum in cash party all its right, title and interest in said newspaper and said membership, or in said shares, whereupon this agreement shall be without further effect.

(4) In the event no satisfactory and acceptable offer to purchase said Repository and said membership, or said shares, is received by either party hereto and consummated in accordance with the provisions of this agreement within said two-year period ending July 15, 1933, CNC shall have the right or option on said date either (a) to require the Syndicate to pay to CNC the sum of Fifty Thousand Dollars

($50,000) in cash and to accept from CNC a conveyance in proper form of all right, title and interest of CNC in said newspaper and said membership, or in said shares, and thereafter to assume sole responsibility for the publication and circulation of said newspaper and for all further expenses in connection therewith and in connection with said The New York Repository Corporation, or (b) to extend [fol. 1478] the period of joint ownership and operation of said newspaper and of said membership (through equal stock ownership in said The New York Repository Corporation) for the further period of one (1) year ending July 15, 1934, in which event the provisions of paragraphs (2) and (3) hereof shall be effective during said third year.

(5) In the event that no satisfactory and acceptable offer to purchase said newspaper and said membership, or said shares, is consummated prior to the expiration of said third year, to wit, July 15, 1934, the Syndicate shall on said date, or within ten (10) days thereafter either (a) pay to CNC the sum of Fifty Thousand Dollars ($50,000) and receive from CNC a conveyance of all the right, title and interest of CNC in and to said newspaper and said membership, or in said shares, which right, title and interest CNC hereby agrees to transfer at that time, or (b) transfer, assign and convey to CNC all the Syndicate's right, title and interest in and to said newspaper and said membership, or in said shares, and thereafter be relieved from all liability for any further expense or responsibility in connection with or on account of the publication of said newspaper and the ownership of any interest in said membership; and thereupon this agreement shall be without further effect.

(6) If for any reason it should be or become impracticable for CNC to have said The New York Repository Corporation formally elected to membership and qualify as a member of said The Associated Press as provided in the By Laws thereof and/or to have issued to said The New York Repository Corporation a certificate of membership in said The Associated Press, then and in that event it is agreed that if CNC shall, if possible, reacquire from said The New York Repository Corporation the said newspaper and membership and shall thereafter continue to own and hold said newspaper and membership for the period ending July 15, 1934, subject to all the other applicable terms and conditions of this agreement, and the Syndicate shall during said

period have an undivided one-half (½) equitable ownership interest in said newspaper and membership to the same extent as it would have had if this agreement had been fully consummated; and furthermore the parties hereto shall [fol. 1479] in all other respects perform their obligations under this agreement.

(7) This agreement shall bind and benefit the successors and/or assigns of each of the parties hereto.

In witness whereof, the parties hereto have hereunto caused their names to be signed in triplicate by their proper respective corporate officer, duly authorized thereunto, and their respective corporate seals to be affixed and duly attested, as of the day and year first above written.

Consolidated Newspaper Corporation, by Roy W. Howard (Sgd.), *President.*

Attest: W. W. Hawkins (Sgd.), *Secretary.* (Seal.)

News Syndicate Co., Inc., by J. M. Patterson (Sgd.), *President.*

Attest: J. W. Barnhart (Sgd.), *Secretary.* (Seal.)

STATE OF NEW YORK,
County of New York, ss:

On this 17th day of July, 1931, before me came Roy W. Howard, to me known, who being by me duly sworn, did depose and say that he resides in Pelham, New York, that he is the President of Consolidated Newspaper Corporation, the corporation described in, and which executed, the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

(Sgd.) Carl A. Espach, *Notary Public*, Nassau Co.

Certificate filed N. Y. Co.

[fol. 1480] STATE OF NEW YORK,
County of New York, ss:

On this 17th day of July, 1931, before me came J. M. Patterson, to me known, who being by me duly sworn, did depose and say that he resides in Ossining, New York, that he

is the President of News Syndicate Co., Inc., the corporation described in, and which executed, the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

(Sgd.) Carl A. Espach, *Notary Public*, Nassau Co.

Cert. filed N. Y. Co.

EXHIBIT B

Agreement made this 7th day of February, 1933, by and between New York World-Telegram Corporation, a New York corporation, formerly the Consolidated Newspaper Corporation, party of the first part, and News Syndicate Co., Inc., a New York corporation, party of the second part.

Whereas, the parties hereto made an agreement dated as of July 16, 1931, providing for the formation of The New York Repository Corporation, for the securing of membership in the Associated Press by said The New York Repository Corporation and for the publication by The New York Repository Corporation of the Newspaper "New York Repository"; and

Whereas, the said agreement provided that all expenses incurred in the operation of said The New York Repository Corporation and its publication should be shared equally by the parties to said agreement during a period of two years commencing July 16, 1931; and

Whereas, the said agreement provided that in the event the said newspaper and Associated Press membership be not sold during said two-year period, the New York World-Telegram Corporation, then the Consolidated Newspaper Corporation, should have the option of requiring News Syndicate Co., Inc., to pay to it the sum of Fifty Thousand Dol- [fol. 1481] lars ($50,000) in cash and to accept from it a conveyance in proper form of all its right, title, and interest in said newspapers and said membership, or in the shares of said The New York Repository Corporation then owned by it, and thereafter to assume sole responsibility for the publication and circulation of said newspaper and for all expenses in connection therewith; and

Whereas, the parties hereto desire to terminate the said agreement dated as of July 16, 1931, upon the terms and conditions hereinafter set forth;

Now, Therefore, in consideration of the premises and of the mutual covenants of the parties hereto, it is agreed as follows:

I. The New York World-Telegram Corporation, party of the first part, agrees to sell and deliver, and hereby does sell and deliver, to News Syndicate Co., Inc., party of the second part, all of the right, title, and interest of New York World-Telegram Corporation (formerly Consolidated Newspaper Corporation) in and to fifty (50) shares of the capital stock of The New York Repository Corporation, represented by Certificate No. 3, dated March 1, 1932, standing in the name of New York World-Telegram Corporation and duly endorsed in blank, being one-half of the total capital stock of said The New York Repository Corporation.

II. The New York World-Telegram Corporation agrees to deliver, and simultaneously with the execution of this agreement does deliver, to News Syndicate Co., Inc., as the owner of all of the capital stock of The New York Repository Corporation, the following:

1. Minute book of The New York Repository Corporation, including minutes of meetings from the date of incorporation on July 16, 1931, to and including March 9, 1932.

2. Stock certificate book of The New York Repository Corporation, including cancelled Certificate No. 1 and showing Certificate No. 2 outstanding in the name of News Syndicate Co., Inc., and Certificate No. 3 outstanding in the name of New York World-Telegram Corporation for which an assignment is to be given News Syndicate Co., Inc., as above stated.

3. New York State franchise receipt for $196.55, being receipt for franchise taxes for the year ending October 31, 1932, together with copies of franchise tax reports.

[fol. 1482] 4. Federal income tax report for the calendar year 1931 showing loss during said year of $19,183.85.

5. Certificate of Membership No. 6259 in the Associated Press, issued in the name of The New York Repository Corporation under date of June 17, 1931.

6. Bond No. 167 in the face amount of $1,000 issued by the Associated Press to The New York Repository Corporation under date of July 18, 1931.

7. Corporate seal of The New York Repository Corporation.

8. Books of account of The New York Repository Corporation now in the possession of News Syndicate Co., Inc.

9. Resignations of the following named persons as directors and officers of The New York Repository Corporation: Roy W. Howard, President and Director; W. W. Hawkins, Director; and Thomas L. Sidlo, Secretary.

III. News Syndicate Co., Inc., agrees to, and hereby does, pay to New York World-Telegram Corporation the sum of Fifty Thousand Dollars ($50,000), receipt of which is hereby acknowledged.

IV. News Syndicate Co., Inc., hereby agrees to cause The New York Repository Corporation to cease publication of the newspaper "New York Repository," with the issue of February 7th, 1933, and to forthwith terminate the membership in the Associated Press of said corporation The New York Repository Corporation and/or said newspaper "New York Repository." News Syndicate Co., Inc., hereby agrees to, and does, indemnify and hold harmless New York World-Telegram Corporation from any and all liability, loss or damage whatsoever which may arise out of any liability that New York Repository Corporation may have or incur in connection with the termination of its membership in Associated Press and/or in connection with its discontinuing publication of said newspaper "New York Repository"; and News Syndicate Co., Inc., hereby agrees to, and does, indemnify and hold harmless New York World-Telegram Corporation from any and all liability, loss or damage which may arise out of its former ownership of shares of stock of The New York Repository Corporation by reason of any event hereafter occurring.

[fol. 1483] V. News Syndicate Co., Inc., agrees promptly after the execution of this agreement, to cause The New York Repository Corporation to be dissolved in accordance with the laws of the State of New York and to cause its corporation existence to cease.

VI. Both parties agree that all expenses incurred by the New York Repository Corporation up to and including the date when it ceases to publish the "New York Repository" shall be shared equally by the parties hereto and the News Syndicate Co., Inc., agrees to pay the New York World-Telegram Corporation an amount equal to one-half of the cash balance (including the cash value of the Associated Press bond, listed in Paragraph II, subdivision 6 thereof), after all such expenses have been paid, including reimbursement to the New York World-Telegram Corporation of the New York State Franchise taxes in the sum of $196.55 for the year beginning November 1st, 1931, and $205.82 for the following year.

VII. Upon the execution of this agreement, the said agreement between the same parties dated as of July 16, 1931, shall be without further effect.

In witness whereof, the parties hereto have caused this agreement to be executed by their respective officers thereunto duly authorized and their respective corporate seals to be hereunto annexed the day and year first above mentioned.

New York World-Telegram Corporation. By R. A. Huber, Vice President. (Seal) News Syndicate Co., Inc. By Roy C. Holliss, Second Vice President. (Seal.)

STATE OF NEW YORK,
County of New York, ss:

On the 7th day of February, 1933, before me came R. A. Huber, to me known, who being by me duly sworn, did depose and say that he resides in New York City, N. Y.; that he is the Vice-President of New York World-Telegram Corporation, the corporation described in, and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board [fol. 1484] of directors of said corporation; and that he signed his name thereto by like order.

Macdonald DeWitt, Notary Public, New York Co.

STATE OF NEW YORK,
County of New York, ss:

On the 7th day of February, 1933, before me came Roy C. Hollis, to me known, who being by me duly sworn, did depose and say that he resides in Bronxville, New York; that he is the Second Vice-President of News Syndicate Co., Inc., the corporation described in, and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporation seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Macdonald DeWitt, Notary Public, New York County.

AFFIDAVIT OF SID MAUTNER

STATE OF ILLINOIS,
County of Cook, ss:

Sid Mautner, being duly sworn, deposes and says:

I began newspaper work in 1912. In 1914 I worked for the Chicago Bureau of the International Film Service, one of the first picture syndicates in America. Later, I went to work for the Hearst papers in Chicago, and continued with them for a period of twenty-four years, first as cameraman, later as art editor, photo editor and picture editor.

I joined the staff of The Chicago Sun about three months prior to the time it began publication as its photo editor, a position I have occupied ever since. In that capacity, I organized the picture staff, hired the personnel, purchased the equipment and set up the bureaus that were established throughout the country. In addition, it is and has been my duty to select and make assignments to procure pictures and otherwise to arrange for the obtaining of pictures for The Chicago Sun, in all fields, local and domestic.

At the time The Sun commenced publication, December 4, 1941, there were the following major news photographic [fol. 1485] services in the United States: Associated Press News Photo Service (The Associated Press had, in 1941, taken over Wide World Photos, Inc. from The New York Times); International News Photos, affiliated with the

Hearst papers; and Acme Newspictures, Inc., a subsidiary of the Scripps Howard organization.

Until the middle of December 1942, that is for a period of over one year, The Chicago Sun was without the services of any of these major syndicates. On December 8, 1942, The Sun made a contract with Acme Newspictures, Inc., under which services commenced on December 12, 1942.

Some time prior to the commencement of the publication of The Sun, I was informed by Mr. Rex Smith, then the Executive Editor of The Sun, that we would be unable to obtain the picture service of the Associated Press, hereinafter called AP, or any of the specified services. I thereupon endeavored to make all arrangements that would give The Chicago Sun the best photographic news coverage possible in the absence of access to the facilities of the major syndicates.

The following are some of the steps taken by me to supply The Sun with pictures, and some of the competitive difficulties under which The Sun operated:

1. We purchased pictures from some of the minor agencies. One of these, a foreign agency, had its offices in New York. From it I received pictures through a salesman in Chicago, who would bring them to us as he received them from New York—frequently opening up a mail package containing the pictures in my presence. A disadvantage of this arrangement was that many of these pictures had already been sold to major syndicates in New York before they were exhibited to us by the salesman in Chicago. I know this because, as part of my duties as photo editor, I regularly examined the pictures appearing in the other newspapers in Chicago and many of the pictures that were exhibited to us by the salesmen referred to, had already appeared in the other Chicago newspapers, credited to one of the major syndicates. Some of the pictures offered to us were not original photographs, but were photographs of cuts that had appeared in foreign newspapers. The disadvantage in this was twofold. In many cases I observed that [fol. 1486] other newspapers in Chicago had published the original photographs as transmitted electrically, and the original photographs were superior to the photo facsimile, in sharpness and clarity. I had observed, too, that in many cases the original photographs had been published by Chicago papers before we were offered the photo facsimile.

2. I arranged through Mr. Rex Smith to lease from Times Telephoto Equipment, Inc., wirephoto transmitters and a recorder. These transmitters had formerly, I was informed, been used by Wide World Photos before its sale to The Associated Press. The wirephoto transmitters are machines, which when photographs are introduced to them, convert the photograph into a series of electric impulses which can be transmitted over a telephone or telegraph wire. The recorder is a machine which reverses the process and transforms the electric impulses received over the wire, into a photographic negative. I then arranged for the placing of these transmitters in various cities in the United States: Washington, New York, Miami, Minneapolis, Nashville, Fort Worth, Los Angeles, San Francisco, Seattle and Detroit. The recorder was placed in The Sun office.

Though we endeavored to obtain the best possible service in this way, our wire service was not as effective as the AP wirephoto service for the following reasons:

(a) We had transmitters only in the ten cities which I have enumerated.

(b) To man these transmitters I employed persons for part-time service. These operators were paid—on vouchers approved by me—a rental fee for housing our equipment plus a fee for transmitting pictures and for covering any assignments that I requested of them. The part-time photographers were, in the main, from picture studios, and were not news photographers, but I employed those that were available to us. I found in building up this organization that we were hampered by the fact that persons connected with newspapers could not render photographic services to The Sun, because they were connected with newspapers members of the AP and refused to serve nonmember papers.

[fol. 1487] (c) Compared with the leased wire service of AP, our wire-photo service operated at a substantial disadvantage. Where a wire is leased, the lessee, during the period for which it is leased, has the exclusive use of the wire. Pictures can be transmitted immediately. There is no likelihood of interferences or interruption in transmissions. Our pictures originally came to us entirely on an overhead basis, that is, they were transmitted over what-

ever telephone line was available at the time. In many instances there were delays because lines were not available. The quality was impaired because there were interferences on these lines. For a time, I arranged to obtain, for The Sun, the use of one and one-half hours of leased wire time from Washington to Chicago. This resulted in a considerable improvement in the Washington-Chicago transmission.

(d) Our bureaus were manned mostly by part-time employees whose principal occupation in most cases was not in the newspaper field. We were not in leased wire communication with these bureaus, nor were they abreast of the news. Frequently, it became necessary to telegraph or telephone our correspondent, acquainting him with the news event in his territory and assigning him to go out and take pictures related to the event.

(e) Under our contract with Times Telephoto Equipment, Inc., of New York, they were to take care of the maintenance. In cases where there was defective operation that would not be handled on the spot, the equipment was flown back to New York. On several occasions, owing to the fact that Times Telephoto Equipment, Inc., was tied up in Government work, the repair of the equipment was delayed. When the equipment was being repaired in New York, we were without the wirephoto facilities of the local station.

3. In the case of news stories that broke within a radius of 100 to 200 miles of Chicago, which because of their locality were not available for wirephoto transmission to the Sun, I had to canvass the locality to obtain a news photographer to supply our needs. I frequently discovered that the news photographer I sought to employ was employed by an Associated Press newspaper, and was then told by him that he could not serve us since we were not AP mem- [fol. 1488] bers. In most cases I had to obtain the services of a commercial or amateur photographer, inexperienced in handling newspaper pictures, with the result that the pictures were not of the quality, nor obtained with the promptness, as was the case with pictures supplied by Associated Press to its members.

4. Because of the importance of Washington as a news center, I arranged for the setting up of a complete Washing-

ton photographic bureau, to take and transmit pictures. After the war was under way and governmental restrictions upon the taking of pictures greatly limited the freedom that had theretofore existed, we closed the Washington photographic bureau. We then made arrangements with the Washington photographic agency of Harris & Ewing to send us news pictures and the Army, Navy and governmental photo handouts, and to cover special assignments for us beginning July 6, 1942. For these services we contracted to pay Harris & Ewing $125.00 a week, with additional payments for the coverage of special assignments. The wire-prints that were prepared by Harris & Ewing were brought to our Washington news bureau and transmitted to us from there over the wire transmitter that was leased from the Times Telephoto Equipment, Inc. The contract with Harris & Ewing Photographic News Service was cancelled after we made our contract with Acme Newspictures, Inc. The cancellation was dated December 28, 1942, and became effective February 5, 1943.

5. In 1942 a war pictures pool was formed to get war pictures. Among the members of this pool were Associated Press, News Photo Service, International News Photos, Acme Newspictures, Inc., and Life magazine. AP members received pool photographs. We were without the pool photographs until we contracted for the Acme Service.

6. On December 8, 1942, we entered into a contract with Acme Newspictures, Inc., hereinafter referred to as Acme, to receive its telephoto service and its full daily mail service. For this service, the contract price was $575.00 a week, with extra charges for pictures which would not otherwise be part of Acme's regular picture service. Since service commenced under that contract on December 12, 1942, we have received a daily wire photographic service, and daily pic- [fol. 1489] tures by mail from Acme. The lack, however, of Associated Press service is disadvantageous in at least the following respects:

(a) The Chicago Tribune has both Acme and Associated Press service. If Associated Press scoops Acme we are without the picture furnished by Associated Press. If Acme scoops the Associated Press, the Tribune will have the benefit of the Acme scoop as well as ourselves.

(b) Acme does not furnish as comprehensive service as Associated Press, especially from points west and South of Chicago. At the time the contract was under negotiation, I was informed by Mr. Arthur Newman, manager of Acme, that its leased lines lay generally to the east of Chicago—that west of Chicago, its service was furnished over ordinary telephone wires on an overhead or toll basis. On several occasions when I asked Acme to deliver to us a picture by wirephoto from the Pacific Coast, the picture was received by us from Acme but in most instances after it had been supplied to Associated Press members.

(c) Acme furnishes approximately only ten wirephotos per day.

7. In the case of stock or "morgue" pictures, the Sun was at a substantial disadvantage before it had the contract with Acme. Under their contract with the Sun, the Chicago Daily News made its "morgue" pictures available to it. But in the great majority of the cases the pictures in the "morgue" of the Daily News were AP pictures and were unavailable to the Sun. When stock pictures were needed, it became necessary to call up our New York agent to purchase these pictures from an agency and transmit them to us by wire transmission. This procedure has been costly and has involved a considerable loss of time.

8. The following are instances in which the Chicago Tribune printed cuts or photographs relating to news then current, crediting them to AP wirephoto. I was not able to procure these pictures for the Sun, or else did not procure them until after they had ceased to be live news items. As contrasted with the rapid and regular receipt of these pictures by the Chicago Tribune from the AP, I had either to do without these pictures for the Sun or else, as indicated [fol. 1490] below, to go to considerable effort and expense in order to procure them:

December 5, 1941. The collapse of a bridge at Hartford, Connecticut, where eight men lost their lives. In order to obtain a picture for the Sun, the following happened: I telephoned the Sun's New York bureau. The Sun's New York bureau telephoned a photographer in Connecticut, Larry Gordon, from whom the pictures were purchased. These pictures were then flown by plane to New York, from which point they were transmitted to the Chicago office.

December 6, 1941. The Navy's new flying warship Mars burning at Baltimore. By the time the Sun bureau in Washington was appraised of this, and our photographers arrived on the scene, the action was over.

December 10, 1941. Mickey Rooney and his fiancee.

December 13, 1941. First picture of Captain Colin B. Kelly and his widow and son.

December 16, 1941. First picture of the Japanese two-man submarine, of the type used at Pearl Harbor.

December 30, 1941. Churchill's visit to Ottawa. The Sun, in order to obtain these pictures, sent a photographer and transmitter operator to Ottawa from Washington, D. C. The pictures were then transmitted from Ottawa by the transmitting operator to Chicago, directly over telephone lines, toll lines.

December 31, 1941. Al Capone, son and bride at Miami, Fla.

January 1, 1942. The destruction occasioned in Norway by the English Commando raid.

January 2, 1942. Inter-sectional bowl games as follows: Oregon State versus Duke; Alabama versus Texas; Georgia versus Texas Christian and Fordham versus Missouri.

I obtained pictures for the Sun as follows:

Oregon State versus Duke: by sending a photographer and transmitter to Durham, N. C.

Georgia versus Texas Christian at Miami: by hiring a man at Miami to cover for us and transmit for us over the transmitter that was down in Miami.

Fordham versus Missouri at New Orleans: through a photographer and transmitter operator sent from Chicago.

[fol. 1491] Alabama versus Texas at Dallas: by our stringman in Dallas, over the Sun's transmitter.

January 4, 1942. First photographs of the United States forces landing somewhere in the Pacific war theater.

January 19, 1942. Four pictures of the air crash in which Carole Lombard was killed. Our bureau photographer flew from Los Angeles to the scene of the wreck at Las Vegas, Nev. The AP was represented on the scene by a group of photographers against one man representing the Chicago Sun.

February 5, 1942. Pictures showing the destruction in Malaya during the retreat to Singapore, the first action pictures from the war front at Singapore.

February 6, 1942. The first picture of Italian general Fidele de Giorgis, captured in Libya by the British.

February 9, 1942. Five pictures of American troops landing in Ireland, the first pictures showing such landing. Four of these were furnished by AP, one by Acme. None of the four were available to the Chicago Sun.

February 10, 1942. The Chicago Tribune carried an Associated Press wirephoto of the *Normandie* fire in its first edition.

I attempted to buy pictures of the *Normandie* fire from various services in New York City, but without success.

I finally obtained some pictures through our New York bureau, which were transmitted to us at considerable expense, and carried in our later editions. We had no picture of the *Normandie* fire in our earlier editions.

February 14, 1942. An eight-column picture of an entire submarine crew bobbing in the water after their submarine was destroyed.

February 28, 1942. The torpedoing of the Standard Oil Tanker *R. P. Resor* off Asbury Park, N. J.

In order to obtain a comparable picture, our New York Bureau hired an outside photographer to cover and transmit the picture to the Chicago Sun.

March 4, 1942. First pictures of the survivors of the destroyer *Jones*.

March 4, 1942. The early editions of the Tribune contained a photograph of Lt. Edward H. O'Hare, a Chicagoan, the first flyer to bring down six Japanese planes in the Pa-
[fol. 1492] cific war and a photograph of his mother. After considerable effort, a photograph of the flyer was obtained from an aunt of Lt. O'Hare living in the Chicago district, in time to publish it in one of our late editions. We were unable to obtain a picture of the mother, who was then in the south.

March 14, 1942. First pictures of the Commando raid on Bruneval, France. One picture showing landing barges, the other, German prisoners taken on the scene.

March 17, 1942. Four pictures of the tornado scenes in the vicinity of Alvin, Ill., where many persons perished. I sent a cameraman who drove down from Chicago, but photographs could not be obtained in time for publication in the early editions of the Sun, nor until after such pictures had already appeared in the earlier editions of the Tribune.

March 21, 1942. First picture of surrender of Singapore.

March 25, 1942. First photograph showing General MacArthur in Australia after his escape from the Philippines.

April 7, 1942. First picture showing scorched earth policy applied by the Dutch in Borneo.

April 9, 1942. First action picture of Lt. O'Hare showing him in the cockpit of his plane with the Pacific fleet.

April 11, 1942. Jap prisoners taken on Bataan.

April 11, 1942. A picture of Mrs. Clara Wermuth and her daughter Talia, stated to have been obtained by AP from the mother and daughter, who were then visiting in Philadelphia. These ladies were the mother and sister of Arthur Wermuth, called the "one man army of Bataan," because he had singlehandedly destroyed a great number of Japs. Wermuth was a conspicuous news figure and of particular interest to Chicago readers, since he, his mother, and sister were residents of Chicago.

April 24, 1942. The Liberty Bell being moved to a place of safety in Philadelphia to protect against the contingency of a bombing attack.

April 28, 1942. Three pictures of the tornado at Pryor, Okla., resulting in 100 dead and 1,000 hurt.

May 1, 1942. First action picture of Admiral Stark, USN, arriving in England for a war conference.

[fol. 1493] May 8, 1942. The pictures of the suicidal death leap of a woman from a hotel in Buffalo, N. Y., one of which shows the suicide in mid-air. This picture has been described by U. S. Camera (1943), A. J. Maloney, Editor, as one of the outstanding pictures of 1942.

May 14, 1942. Pictures of General MacArthur in ceremonies at Melbourne, Australia, and also American troops with Australian natives.

May 19, 1942. First pictures showing actual landing of American armored troops in Ireland.

May 29, 1942. First pictures showing the Mexican president in the Mexican Congress declaring war on the Axis.

June 2, 1942. First picture of General Wainwright surrendering at Bataan.

June 8, 1942. First picture of the results of the bombing of Cologne, one of the heaviest air raids of the war.

June 17, 1942. Picture of Georges Carpentier and Max Schmeling as they met in Paris. A picture of great interest, since both pugilists were well known in the United States.

June 23, 1942. Three pictures of the first Jap shelling of the coast of Oregon.

July 11, 1942. First picture of the U-boat raid on Costa Rica. 23 killed. This was a daring U-boat surprise attack on the American vessel *Reurto Limo.*

July 18, 1942. Two pictures of the American Navy's air attack on Japanese ships in Kiska, Alaska. Transport shown burning in the harbor.

July 21, 1942. Picture of three children of a Scottdale, Ga., family, who were fettered together with huge chains as a punishment for a childish misdemeanor.

July 31, 1942. Picture of a Lake boat, well known to Chicago readers—the *CEE and BEE.* The picture showed the boat converted into an aircraft carrier.

August 1, 1942. Three pictures from Denver, Colo., of a story attaining national prominence. They were pictures of Theodore E. Coneys, who hid in the attic of the house of Philip Peters for nine months after Coneys murdered Peters. The picture showed Coneys and also the attic.

[fol. 1494] August 3, 1942. First pictures showing arrival of American tanks in Russia.

August 9, 1942. First WAAC review at Des Moines, Iowa. To cover this, the Sun sent its photographer from Chicago with photographic equipment and a transmitter in order to obtain the picture.

August 11, 1942. First picture of Gandhi and others at the All-India Congress party in connection with stories of rioting in India.

August 13, 1942. Two pictures—action pictures—showing surrender of American troops at Corregidor.

September 1, 1942. Action picture of the wedding of Gypsy Rose Lee, in which Gypsy is shown tossing her bridal bouquet.

September 2, 1942. Action pictures of Kurusu and Admiral Nomura, special Japanese peace envoys to the United States at dinner in Portugese East Africa, en route to Tokio after exchange of diplomats between the United States and Japan.

September 9, 1942. First picture of General George Marshall, Chief of Staff, on his first visit to Iceland on an inspection tour.

September 9, 1942. American bomber crash into an apartment house at Newark, Ohio.

September 12, 1942. An unusual action picture of test pilot landing in his parachute at Buffalo, N. Y., while his plane landed on a factory killing six and injuring forty-three.

September 12, 1942. Paul Trout, Detroit ball player, manhandling a spectator in the stands.

September 22, 1942. Two pictures showing work on the building of the highway to Alaska, the first pictures of the Alaska highway in Chicago.

October 1, 1942. Action picture showing the sinking of the United States ship *Colhoun* (a Naval Auxiliary vessel) after Japanese attack at Guadalcanal.

October 1, 1942. Action picture showing wreckage of two planes that collided in a take-off, killing two pilots at Burbank, Calif.

October 4, 1942. Pictures of the World Series game between the New York Yankees and the St. Louis Cardinals at St. Louis. To obtain comparable coverage, The Chicago Sun sent a cameraman and a transmitting operator from Chicago to St. Louis.

[fol. 1495] October 7, 1942. Two pictures showing views of General MacArthur in the field with American troops somewhere in the South Pacific war theater.

October 9, 1942. Adolph Hitler greeting Marshall Rommel on his victorious return to Berlin from the African campaign.

October 14, 1942. Wendell Willkie with Madame Chiang Kai-Shek in China.

October 17, 1942. Betty Hansen in the Errol Flynn case being carried from the court room.

October 17, 1942. Picture of Errol Flynn furnished to the Chicago Tribune on the day the Flynn story broke.

October 24, 1942. First picture of Mrs. Roosevelt being greeted by the King and Queen of England in London.

October 26, 1942. Elliot Roosevelt in London saluted by military police.

October 26, 1942. Action picture of Germans advancing on Stalingrad.

October 28, 1942. Picture of widow and son of Commander John J. Shay, who was lost with aircraft carrier *Wasp*. The five-year old son is shown reading a letter his father wrote to him before the battle.

October 28, 1942. The picture showing the beginning of the night barrage of the 8th Army's victorious counterdrive on Rommel.

October 30, 1942. Survivors of the United States destroyer *Blue* and the Australian cruiser *Canberra* being taken to a port of safety.

October 31, 1942. Striking action picture of a tornado destruction in Bertyville, Ark.

November 2, 1942. Three photos of Lt. Howell Forgy and his family in Haddonfield, N. J. Lt. Forgy is one of the two men credited with coining the phrase "Praise the Lord and Pass the Ammunition."

November 2, 1942. Picture of Mrs. Roosevelt dining with the Royal Family in London.

November 4, 1942. Picture of Miss Alison B. Pfeiffer of North Hampton, Mass., fiancee of author of "See Here, Private Hargrove."

[fol. 1496] November 4, 1942. General MacArthur drinking coffee with staff officers.

November 9, 1942. Five women section hands on the Northern Pacific Railroad at Ravensdale, Wash.

November 10, 1942. On page 1, story of Roosevelt's note to the Bey of Tunis, picture of the Bey of Tunis and the French resident general at that place.

November 11, 1942. First action picture of Mrs. Roosevelt and her son, Elliott, meeting in London.

November 14, 1942. First action picture of the American invasion in Africa, showing the landing of American troops in Oran, Algeria.

November 15, 1942. Three action pictures comprising one-half page, showing American troops and various phases of their landing in Africa. On this same day the Sun was able to get but one picture of this action from the British Newsreel Association radioed from London available to us through Publix Syndicate, and then transmitted to the Sun.

November 16, 1942. Picture of Mrs. Eisenhower at Abilene, Tex., gazing at a picture of her son, the General, who commanded the invasion of Africa.

November 18, 1942. An action picture of MacArthur and his principal aides at New Guinea. On the same day, an action picture of the Stalingrad area in Russia. These possibly might have been available to the Sun had it not been for transmission trouble. On the same day, the Tribune

printed a remarkable aerial view of the convoy headed for Africa, credited to AP Wirephoto. This picture was available to the Sun but transmission line trouble made it unusable for reproduction.

November 21, 1942. An action picture of General Hanford MacNider getting his hair cut by a trooper while seated on a log, a picture of considerable news value since General MacNider was well known, having at one time headed the American Legion.

November 23, 1942. The Tribune published pictures of Captain Rickenbacker and his party after their rescue, crediting them to AP Wirephoto. These pictures it advertised as "First pictures of Captain Rickenbacker after [fol. 1497] his rescue." The pictures were stated to have been radioed from Honolulu. The Sun attempted, by cabling a correspondent in Honolulu, to obtain the pictures, but was unsuccessful.

November 27, 1942. A full page of pictures of various phases of the African invasion. Altogether there were eight pictures made on transports, at Oran, at Fedhala, at Algiers, and also showing General Mark Clark and some of the leaders of the expedition.

November 29, 1942. On Saturday night, November 28th, occurred the disastrous Cocoanut Grove fire in Boston. The Sunday Tribune furnished four action scenes of the fire (Associated Press Wirephoto). This appeared in the edition in which the page one banner line read "408 Die in Club Fire." No pictures were available of this event for the Sunday Sun.

December 7, 1942. A photograph from German sources which showed the first comprehensive perspective of the wreckage of Stalingrad.

December 10, 1942. Pictures of four naval officers being decorated at Pensacola, Fla. The pictures showed "Douggie" Gray who had disrupted the ceremony by rushing in and embracing her father, Lt. James S. Gray, around the knees.

December 10, 1942. A sectional view of wrecked Stalingrad. The picture was obtained by way of neutral Portugal.

December 13, 1942. A picture of the first wooden transport plane, a new era in airplane construction.

On December 15, 1942, our contract with Acme went into effect. The following are instances in which a picture of a news event was printed in the Tribune credited to AP Wire-

photo (in one of the instances specified to Wide World), but was not supplied to the Sun by Acme, or else was not supplied to the Sun until after it had appeared in the columns of the Chicago Tribune credited to AP Wirephoto:

December 16, 1942. A Western Airlines transport crash in which seventeen were killed near Fairfield, Utah.

December 18, 1942. A picture of Captain Rickenbacker on his arrival in San Francisco, Calif., on December 17th. Acme failed to deliver this picture to the Sun, although on the following day, Acme delivered to both the Tribune and Sun a superior picture of Rickenbacker in the arms of his [fol. 1498] mother in Los Angeles.

December 19, 1942. A picture of Mussolini which was received through neutral Portugal and described as one of his most recent, and pointed out his loss of weight.

December 23, 1942. Oil well fire at Russell, Kans.

December 24, 1942. A good feature picture of two orangutans and a chimpanzee born in a St. Louis zoo. Acme did not deliver the picture to the Sun by wirephoto but two days later we received a similar picture of the orangutans by mail.

December 28, 1942. A wirepicture from Dixon, Ill., 100 miles from Chicago, of a wreck on the Chicago-Northwestern's San Francisco Challenger. We received no service on this wreck from Acme but assigned our own photographer to Dixon and obtained our own pictures.

January 4, 1943. A picture of the marriage of Dorothy Kirsten, Chicago Opera Company singer, in New York.

January 5, 1943. A picture of the damage done to Bing Crosby's home in Hollywood by a fire. Also (a) a series of exclusive wirephotos of U. S. military operations in New Guinea, and (b) a wirephoto from Tunisia.

January 7, 1943. A spectacular rescue picture of a packing plant fire in Lowell, Massachusetts. We received nothing on this fire in the Acme wirephoto service that day.

January 8, 1943. An aerial view of Henderson Field, the airport on Guadalcanal Island, the most comprehensive pictures of the field published to that date.

January 13, 1943. The first pictures of the five Sullivan brothers of Waterloo, Iowa, who were lost on the same battleship. This was a major news story. On the same day, Acme told us that their nearest wirephoto transmission point was Omaha, and that it would be impossible to get the

pictures from Waterloo to Omaha in time for transmission. They got pictures to us the next day, by which time we received pictures of our own from Waterloo.

January 14, 1943. Action pictures of Frances Farmer, the movie actress, who was engaged in a wild escapade and landed in jail.

[fol. 1499] January 15, 1943. A better picture of Frances Farmer fighting with the police in Los Angeles.

January 20, 1943. An outstanding picture of an Australian Army chaplain planting a cross on the grave of a soldier killed near Gona, New Guinea.

February 1, 1943. Action pictures from Seattle, Washington, showing fire in a sanitarium in which twenty-nine lives were lost.

February 1, 1943. Picture from Coldwater, Michigan, of Donna Lee Simons, a young girl who had been in a coma for twenty-five days as result of an automobile accident, finally recovers.

February 3, 1943. Picture showing missionaries on Guadalcanal rescuing a baby from a ditch on Guadalcanal. Parents had been slain and baby mutilated.

February 9, 1943. Picture showing General Hanford MacNider, a prominent mid-westerner and former national commander of the American Legion, recovering from wound received in action.

February 12, 1943. First picture of Marine veterans of Guadalcanal, after they had been relieved by Army disembarking at a South Pacific port.

February 18, 1943. Spectacular picture of a train-wreck at Marriottsville, Md., just fifteen miles from Baltimore.

February 26, 1943. Picture showing thousands of Boeing Aircraft plant workers who stopped work, staging demonstration in front of city-county building in Seattle, Wash.

February 27, 1943. Picture showing nuns being rescued from one of the Solomon Islands and landed at Guadalcanal.

March 2, 1943. Picture showing results of bombing by Japs in Manila.

March 2, 1943. Picture showing rescue work at Bearcreek, Mont., mine disaster in which seventy workers were trapped.

March 3, 1943. A series of pictures copied from German newspapers, showing German troops in action in Tunisia. These and similar pictures were offered to us three weeks

later by an independent picture syndicate but were never covered by Acme.

[fol. 1500] March 8, 1943. Picture showing General MacArthur's bomb-wrecked home on Corregidor Island.

March 11, 1943. Picture showing Russian antitank crew hammering Nazis in Vyazma.

March 13, 1943. Picture showing enthronement of a bishop in the Coventry (England) Cathedral, showing the church without roof.

March 16, 1943. After advance promise to cover, Acme failed to cover us with pictures of eight mid-western governors conferring on farm problems at Des Moines.

March 17, 1943. One of best action pictures of the month, showing bombing of an old work bridge at Grand Coulee Dam, Washington.

(Signed) Sid Mautner.

Sworn to before me this 7th day of May 1943. Ruth Herman, *Notary Public*. My commission expires Jan. 10, 1946. (Seal.)

AFFIDAVIT OF J. A. McNEIL

CITY OF TORONTO,
Province of Ontario, Dominion of Canada, ss:

J. A. McNeil, being duly sworn, deposes and says that he is the General Manager and Secretary of The Canadian Press, that he has personal knowledge of the following facts and that the following facts are true:

The names of all of the daily newspapers published in the Dominion of Canada which were represented by members of The Canadian Press as at September 15, 1942, with their respective circulations taken from Editor and Publisher 1942 International Year Book, except as otherwise indicated, are correctly set forth in Exhibit A, attached hereto and made a part hereof.

As of September 15, 1942, The Canadian Press had in addition one associate member representing the Oshawa Times-Gazette (Ont.) with a circulation of 2,951, as appearing in Editor and Publisher 1942 International Year Book. Since September 15, 1942, there has been no change in the list of newspapers represented by members of The Canadian Press.

As of February 1943, the following daily newspapers published in the Dominion of Canada, with their respective [fol. 1501] circulations taken from Editor and Publisher 1942 International Year Book, were not members of The Canadian Press:

Quebec Chronicle-Telegraph (Evening)	4,669
Quebec L'Action Catholique (French language, Evening)	68,332
Amherst News (Evening)	2,434
New Westminster Columbian (Evening)	6,002
Lindsay Daily Post (Evening)	1,811
Montreal Matin (French language, Morning tabloid)	10,278
Vancouver News-Herald (Morning)	23,057

Except for the newspapers represented by the members of The Canadian Press and the 7 newspapers listed above, I know of no other daily newspapers published in the Dominion of Canada as of February 1943, except a Yiddish newspaper published in Montreal, a Chinese paper published in Toronto, a Chinese paper published in Vancouver, a grain trade paper published in Winnipeg and college dailies published in Toronto and Montreal, during the college terms.

(S.) J. A. McNeil.

Subscribed and sworn to before me this 30th day of April A. D. 1943. (S.) M. J. Duggan, *a Commissioner.*

EXHIBIT A

Daily newspapers represented by members of the Canadian Press as at September 15, 1942, with their respective circulations taken from Editor and Publisher 1943 International Year Book, except as otherwise indicated.

Newspaper	*1943 Circulation*
Maritime division:	
Morning:	
Charlottetown Guardian	6,868
Halifax Chronicle	14,815

See footnotes on page 1209.

Newspaper	*1943 Circulation*
Halifax Herald	42,427
Moncton Times	[1] 7,623
Saint John Telegraph-Journal	21,083
Evening:	
Charlottetown Patriot	4,826
Fredericton Gleaner	[2] 9,462
Glace Bay Gazette	[1] 7,769
Halifax Mail	33,549
Halifax Star	12,493
Moncton Transcript	7,438
[fol. 1502]	
New Glasgow News	4,202
Saint John Times-Globe	17,217
Sydney Post-Record	19,052
Truro News	2,133
Ontario and Quebec division:	
Morning:	
London Morning Free Press	32,854
Montreal Gazette	38,495
Montreal Le Canada	16,061
Ottawa Morning Citizen	8,174
Ottawa Morning Journal	9,596
Quebec L'Evenement-Journal	11,300
Toronto Globe and Mail	165,546
Evening:	
Belleville Ontario Intelligencer	6,809
Brantford Expositor	13,674
Brockville Recorder and Times	5,663
Chatham News	8,619
Cornwall Standard-Freeholder	6,554
Galt Reporter	7,415
Guelph Mercury	8,467
Hamilton Spectator	66,268
Kingston Whig-Standard	13,616
Kitchener Daily Record	16,551
London Evening Free Press	23,851

See footnotes on page 1209.

Newspaper	*1943 Circulation*
Evening—Continued	
Montreal Herald	17,014
Montreal Le Devoir	19,479
Montreal La Patrie	12,908
Montreal La Presse	174,179
Montreal Star	127,638
Niagara Falls Review	8,231
North Bay Nugget	7,291
Ottawa Evening Citizen	33,432
Ottawa Evening Journal	30,456
Ottawa Le Droit	21,461
Owen Sound Sun-Times	9,342
Peterborough Examiner	10,321
Quebec Le Soleil	66,084
St. Catharines Standard	14,507
St. Thomas Times-Journal	8,980
Sarnia Canadian Observer	7,768
Sault Ste. Marie Star	8,567
Sherbrooke Record	9,229
Sherbrooke La Tribune	9,740
Stratford Beacon Herald	8,941
Sudbury Star	[1] 8,273
Three Rivers Le Nouvelliste	12,350
[fol. 1503]	
Timmins Press	7,741
Toronto Star	250,758
Toronto Telegram	152,911
Welland-Port Colborne Tribune	6,092
Windsor Daily Star	53,293
Woodstock Sentinel-Review	7,318
Prairie Division:	
Morning:	
Calgary Albertan	14,372
Regina Leader-Post	
Saskatoon Star-Phoenix	
Evening:	
Brandon Sun	5,347
Calgary Herald	34,084

See footnotes on page 1209.

Newspaper	*1943 Circulation*
Edmonton Bulletin	12,823
Edmonton Journal	35,559
Fort William Times-Journal	8,898
Lethbridge Herald	8,231
Medicine Hat News	2,290
Moose Jaw Times-Herald	5,143
Port Arthur News-Chronicle	7,334
Prince Albert Herald	3,476
Regina Leader-Post	32,180
Saskatoon Star-Phoenix	21,526
Winnipeg Free Press	74,432
Winnipeg Tribune	41,108
British Columbia Division:	
Morning:	
Nelson News	5,298
Victoria Colonist	15,074
Evening:	
Nanaimo Free Press	[1] 3,750
Trail Daily Times	3,351
Vancouver Province	103,258
Vancouver Sun	76,529
Victoria Times	16,367
Total	2,305,203

[1] Circulation appearing Editor and Publisher 1942 International Year Book.

[2] Circulation appearing in Ayer's Directory of Newspapers and Periodicals for 1942.

AFFIDAVIT OF THOMAS M. McNICHOLAS

STATE OF TENNESSEE,
County of Davidson, ss:

Thomas M. McNicholas, being duly sworn, says:

I am the Vice-President and Treasurer of Tennessean Newspapers, Inc., which publishes The Nashville Tennes- [fol. 1504] sean, a newspaper of daily circulation in the City

of Nashville, Tennessee. Tennessean Newspapers, Inc., owns an Associated Press Membership. Mr. Silliman Evans is the majority stockholder of Tennessean Newspapers, Inc., and is the designee of the newspaper in Associated Press matters.

Since December, 1941 Mr. Evans has been serving as publisher of The Chicago Sun and has spent most of his time in Chicago, Illinois. During that period I have been the principal executive officer of The Nashville Tennessean and have been in regular attendance at the offices of that newspaper in Nashville. I have during Mr. Evans' absence looked after substantially all of his business and personal affairs and have opened correspondence addressed to him.

In the latter part of March, 1942 an envelope addressed to Silliman Evans was received by me at the office of Tennessean Newspapers, Inc. I opened said envelope and found in it a letter addressed to Silliman Evans from the Illinois Publishing & Printing Company, such letter being dated March 25, 1942 and being signed by T. J. White. A copy of such letter is attached hereto and marked Exhibit 1.

I also received, enclosed with the letter, a proxy dated April 20, 1942, a copy of which is attached hereto and marked Exhibit 2.

(S.) Thomas M. McNicholas.

Sworn to before me this 19th day of May 1943. (S.) H. B. Crump, Notary Public. My commission expires July 18, 1943. (Seal.)

EXHIBIT 1

Herald American,
Chicago, March 25th, 1942.

Mr. Silliman Evans, Nashville Tennessean, Nashville, Tennessee.

DEAR MR. EVANS:

Mr. Marshall Field, the owner of the Chicago Sun, has addressed to members of The Associated Press a letter requesting a proxy wherein their votes are sought in favor

of granting to him a seven day morning membership in Chicago.

[fol. 1505] This is an effort to secure sufficient proxies to override the protests exercised by the undersigned. The right of protest has been in existence and has been provided in the By-Laws of The Associated Press ever since its inception, for the obvious purpose of protecting valuable property rights.

The undersigned is the owner of the Chicago Herald American, having an average daily circulation of 455,764 copies and an average Sunday circulation of 857,318 copies (A. B. C. figures for the six months' period ending September 30th, 1941).

The undersigned is also the owner of two Associated Press memberships for the City of Chicago, one a seven day morning membership and the other an evening membership.

The first regular edition of the daily paper with approximately 25,000 circulation, most of it in the City of Chicago, carries the Associated Press news by virtue of the morning membership. Without that membership, this important edition could not carry Associated Press news.

The remaining editions of the daily paper carry the Associated Press news by virtue of the evening membership.

The Sunday paper carries the Associated Press news by virtue of the morning membership. Without this morning membership, the Sunday paper, with a present circulation of approximately 900,000, would be deprived completely of Associated Press news.

We have therefore refused to sell the seven day morning membership because of the obvious value to us of the Associated Press news, daily and Sunday.

You as a member of The Associated Press enjoy in your own community rights of protest. We believe that you consider such rights of great value. Were Mr. Field successful in his effort to override our protests, the asset value of your membership would be immediately affected and your own property rights might be similarly imperiled at any time.

What we seek is to preserve the right and value which are inherent in all Associated Press memberships and in doing so we are protecting YOUR rights as well as our own.

A proxy dated April 20th, 1942, in favor of nominees of the undersigned is herewith enclosed which authorizes [fol. 1506] the proxy to vote AGAINST THE ELECTION OF MR. MARSHALL FIELD as a member of The Associated Press. By dating the proxy as of the date of the annual meeting you will avert the possibility of inadvertently revoking and superseding it by the execution of The Associated Press management general proxy which you will also have received and which is designed to authorize certain persons to vote for directors and to vote on the usual and general business which ordinarily comes before the annual meeting and which, you will note, does not specifically mention the application of Mr. Marshall Field. You understand of course that by executing the enclosed proxy you will not revoke any other proxy given by you except insofar as such proxy pertains to the application of Mr. Marshall Field.

We respectfully request you to sign (whether or not you intend to be present in person at the annual meeting) the enclosed proxy in the space indicated therefor and return to the undersigned at the above address.

We shall greatly appreciate your support.

Sincerely yours, Illinois Publishing and Printing Company, by (Signed) T. J. White.

EXHIBIT 2

Proxy

To Vote at Meeting of The Associated Press

I, _____, hereby appoint T. J.
(Name of Member)

White and J. D. Gortatowsky, or either of them, to be my lawful attorney and proxy to vote in my name, with full power of substitution, at the Annual Meeting of the Members of The Associated Press, to be held on the 20th day of April 1942 and at any adjourned meeting thereof, with the same force and effect as I might do if personally present, against and opposed to the election of Mr. Marshall Field of the Chicago Sun, of Chicago (Ill.), as a member of The Associated Press.

[fol. 1507] I hereby revoke all other proxies by me made in connection with the application of Mr. Marshall Field

for membership in The Associated Press and specifically assert that no proxy given by me authorizing anyone to vote in my place and stead upon matters coming before the members of The Associated Press at the annual meeting of members for the year 1942 shall in any wise affect the power specifically granted hereby to T. J. White and J. D. Gortatowsky.

Witness my hand and seal, this 20 day of April 1942.

.....
(Signature of Member)

.....
(Name of Newspaper)

.....
(Place of Publication)

AFFIDAVIT OF HERBERT S. MOORE

STATE OF NEW YORK,
County of New York, ss:

Herbert S. Moore, being duly sworn, deposes and says:

That he is President of a news gathering and distributing organization known as Transradio Press Service, Inc., a corporation created and existing under the laws of the State of New York, and that since said corporation commenced business operations in March 1934, deponent has continuously held such office. In addition to knowledge gained by deponent as an executive officer of said corporation relative to commerce in the acquisition and dissemination of news reports, he is familiar with all phases of such business by reason of the following experience: Deponent first entered the newspaper business in the year 1923, in the capacity of reporter, staff correspondent and news editor with the Richmond (Va.) Times-Dispatch; thereafter he acted in the same capacity with the New Orleans (La.) Item, and later became a reporter and "rewrite man" for the Baltimore (Md.) American. In the year 1925 deponent joined the staff of United Press Associations at Washington, D. C., then transferred to its New York office as cable and foreign news editor, and about January 1931 was transferred to its London office, where until late in the year 1933 he functioned as staff corre- [fol. 1508] spondent, diplomatic correspondent, Parliamen-

tary correspondent, and acting manager of its London bureau. Upon returning to the United States about September 1933, deponent resigned from United Press Associations and became one of the editors of Columbia News Service, a news service organization owned and operated by Columbia Broadcasting System, Inc., and continued working for it as an editor until it discontinued operations in February 1934, when he entered upon his present duties with Transradio Press Service, Inc.

Deponent has read the complaint in the case of *United States* v. *The Associated Press*, Civil Action No. 19-163, now pending in the District Court of the United States for the Southern District of New York, and is familiar with the allegations in Paragraphs 44, 45, 46, and 47 which set forth the indispensability to newspapers of news agencies as there defined and allege that there are only three news agencies in this country falling within this category.

Deponent has likewise read the answers of The Associated Press and other defendants (particularly Paragraph 26) and the answer of Tribune Company and Robert Rutherford McCormick (particularly Paragraph 13) to the effect that while The Associated Press, United Press Associations, and International News Service are the largest existing news-agencies in this country today, there are many other news-agencies in this country and foreign countries; and deponent has read the names of the 75 agencies listed by The Associated Press, and the names of the 11 agencies listed by Tribune Company and Robert R. McCormick, in answering interrogatories propounded to them by the plaintiff requiring them to state the names of organizations engaged in selling news, as distinguished from features, to more than 10 newspapers published in the United States.

On the basis of deponent's personal knowledge, his study of letters recently written by a large number of the organizations listed by the defendants describing the extent and character of the services they furnish newspapers and deponent's general experience in the business of furnishing news services to United States newspapers, deponent denies that more than one of the organizations listed by the defendants in their answers to the foregoing interrogatories [fol. 1509] constitutes a news agency as defined in the government's complaint.

A news agency engaged in the collection and transmission of general news of the world to newspapers must,

nder ordinary conditions, maintain a comprehensive wire service to deliver its news. A wire service is a system of leased telegraph lines utilizing automatic electric typewriters for message transmission and recording, commonly called "teletypes," which machines instantaneously print in typewritten form all communications sent or delivered by means of such system. The wire system maintained by a general news agency must be fairly extensive in character with respect to the area for which it reports news and must deliver news reports to client newspapers for at least eight hours per day with respect to the newspaper's "field" of operation, i. e., "morning" or "evening," and in order to serve newspapers in both "fields" such a general news service must operate its wire system at least sixteen hours per day, for a minimum of six days per week. Usually the wires comprising a wire service system are leased or rented by a news agency and connect its offices directly with the offices of client newspapers, and are used for the purpose of giving such customers immediate delivery of news reports. Such reports require the use of teletype equipment capable of delivering a minimum amount of 25,000 words very eight hours, in order adequately to supply daily newspaper clients, and must be continuously operated in order to meet the varying publishing "deadlines" of its newspaper clients.

Not only must such a general news-agency supply through its wire system the minimum daily service above set forth, but it must also meet the following standards: (1) furnish reports of all important news events occurring in the United States and its possessions, (2) furnish a fast and reliable coverage of all outstanding events occurring in foreign countries; (3) furnish a fast and comprehensive coverage of the major sports events, (4) furnish a fast and reliable coverage of the leading stock and commodity markets, (5) obtain, if possible, for redistribution, dependable reports of the most important regional news occurring within the vicinage of its client.

[fol. 1510] While the above specifications are essential to enable a news-agency to meet the minimum requirements of most daily newspapers, other types of news reports which the larger daily papers consider essential are: (6) State news, that is, concentrated coverage of legislative and administrative matters arising in State Capitols.

These elements, which are essential qualifications for a news-agency dealing in general news, are equally essential and indispensable in the production of a successful daily newspaper when augmented by local news. Local news is news pertaining to events of the locality, metropolitan or greater metropolitan area within which the newspaper circulates.

From the standpoint of newspapers published in the larger cities of the United States, a news-agency should be able to furnish general news of both domestic and foreign origin, with sufficient speed, in sufficient volume and variety, and of reliable character, covering the various categories named above, to enable such newspapers successfully to compete with other papers located in the same community.

The only news-agencies which are alone equipped to, and do, furnish the services described above to daily newspapers published in the United States are The Associated Press, United Press Associations and International News Service and, to the extent indicated below, Transradio Press Service, Inc.

Of the 75 organizations listed by The Associated Press in its answer to the plaintiff's interrogatories, Transradio Press Service, Inc. is the only one which is equipped to act as a general news-agency and as such serves the following daily newspapers: Zanesville (Ohio) News, Honolulu (Hawaii) Advertiser, Chicago (Illinois) Sun, Fairbanks (Alaska) Daily News Miner.

The largest number of the customers of Transradio Press Service, Inc. are radio stations. While it provides coverage of national and international news of a high quality, its reports are less voluminous and less detailed than those of The Associated Press, United Press Associations or International News Service.

Of the remaining 74 organizations listed, the following 16 do not now exist or are completely inactive: Anglo News [fol. 1511] Service, Central News of America, Columbia News Service, Columbia Press Service, Consolidated News Service, Crux News Service, General Press Association, Human News Syndicate, Labor News Service, National News Service, Negro News Service, New York News Bureau, Southern News Service, North Jersey News Bureau, Times Square News Service, Universal Press Association.

One of the remaining organizations listed, Service Star League, has never performed any news service function. It

has engaged in the free distribution of thousands of auto windshield stickers and window posters to the families of United States military service men and has never offered any news reports for sale. Similarly, Authenticated News has never functioned as a news agency, its business being to furnish news photos.

A large number of the remaining organizations listed, which release in this country certain information relative to their home countries or gather certain types of information here for export abroad, fall within a classification which may be called the "foreign group." Within this classification there are also some large foreign agencies which exchange news with one or more of the three principal American news-agencies. The names of the organizations in the "foreign-group" and a brief statement of their activities are set forth below:

1. Argentine Financial Service, collects news, much of A. P. origin, relating to the Republic of Argentina.

2. Australian News and Information Bureau, furnishes, without charge, irregular releases backgrounding Australian news and rarely, if ever, supplies spot news.

3. Australian Associated Press distributes no news in the United States. It collects supplemental news here for a number of papers in Australia.

4. Allied News Service and Allied Sports Syndicate supplies only a feature service which is more fully described under the subject of feature syndicates.

5. Balkan News Syndicate served, when it was active a small group of Balkan newspapers with articles on political and commercial affairs in this country.

[fol. 1512] 6. British Press Service furnishes to newspapers, without charge, news releases relating to official or semi-official activities occurring throughout the British Commonwealth of Nations.

7. Canadian Educational Press Assn. distributes no news in this country. It furnishes news of a broad national character solely for export.

8. Canadian Newsfeatures confines its operations to the Dominion of Canada.

9. The Canadian Press is tied up with AP through a contract for the interchange of news which denies to Canadian Press the right to redistribute general news in the United States.

10. Dominion News Bureau, Limited, does not operate in the United States. It is a syndicate operation distributing American features in the Dominion of Canada.

11. Greek News Syndicate, like the Balkan News Syndicate, is a small foreign agency which, at least before the present war, furnishes newspapers with articles about Greek developments, and sold features stories on Greece to American syndicates.

12. Jewish Telegraphic Agency is a small news agency which concentrates upon developments affecting Jewish welfare. It is a non-profit organization subsidized by outstanding Jewish leaders.

13. Overseas News Agency is in its activities in some respects synonymous with Jewish Telegraphic Agency, the directing executive personnel being the same. It is a news service concentrating upon affairs in the occupied or conquered countries of Europe and refugee victimization. It is not a comprehensive foreign service, but offers material of a supplementary character at space or per-article rates.

14. Panamerican Press Service is a service supplying articles for American newspaper consumption but its principal activity is to furnish to subscribers outside the United States material on features concerning Latin American affairs.

[fol. 1513] 15. Pan-Hellenic American Foreign Press Syndicate is a small syndicate operation which arranged exchange of news between papers in the United States and papers in Greece. Its operations have been nominal.

16. Trans Canada Press Service is a syndicate localized in Canada. It does not distribute or gather any general news in the United States, and does not sell news in the United States.

17. Reuters, Limited, is one of the principal World press services, comparable to the largest American news agencies in the scope of its operations. It distributes and sells in the United States only foreign news. It does not gather American news of a general character and such American news as it does gather is exclusively for export to subscribers outside the United States.

18. Teleradio is the former Agence Havas, called Havas News Agency, which is French-controlled. It performs a function similar to Reuters. When it was in active operation here, it sold, distributed, or interchanged only foreign news originating through its facilities.

Among the organizations cited by the defendants are the following special services which provide particular types of news service for racial, scientific, trade, religious, and labor publications:

1. Associated Negro Press, Inc., is a small news service which supplies material to Negro papers, most of which are weekly papers. Its purpose is to concentrate on news emanating from Negro sources, or pertaining to Negro activities and welfare.

2. Federated Press is a well established labor news service which has at times served as many as 100 or 150 newspapers, most of which are identified with labor groups or labor unions. It is not a general news service; on the contrary, it devotes its entire energies to gathering and distributing news concerning labor problems, activities, and movements.

[fol. 1514] 3. International Labor News Service is a specialized service placing labor news with weekly and monthly labor publications. At one time it served one daily paper; but does not now serve any paper in the daily field.

4. N. C. W. C. News Service, is a church-affiliated service with headquarters in Washington, D. C., which distributes articles and news material, chiefly to weekly Catholic publications, regarding activities and developments affecting Catholics.

5. Religious News Service serves religious articles and news of an inspirational character to less than a dozen newspapers. It also mails to between 50 and 100 papers articles devoted entirely to religious topics and having no general news character.

6. Science Service is a syndicate which develops and distributes news and feature articles devoted to scientific developments.

7. Technical News Service mails articles to a small group of newspapers and magazines. It is apparently a one-man press bureau.

8. Heath News Service, located in Washington, D. C., is a one-man office specializing in articles for certain trade papers and trade magazines, particularly about legislative matters. It is not a general news service and does not attempt a thorough coverage of the major events in Washington.

9. Heinl Radio News Service is a service from Washington, D. C., respecting legislative and regulatory proceedings affecting its clients in the radio and broadcasting industry.

The position of "syndicates" in the news industry is that of supplementing wire services by furnishing interpretative or descriptive material, or special stories which have been disregarded by the regular news agencies as unimportant. Such supplemental service is not absolutely essential to a successful newspaper, but is valuable for the purpose of quoting authorities or making definitive statements on [fol. 1515] specialized subjects. There are also syndicates which market the byproduct of the larger leading papers. In this group comes The Chicago Tribune-New York News Syndicate, Inc., the Chicago Daily News Foreign Service, the Chicago Sun Syndicate, the New York Times News Syndicate, Los Angeles Times News Bureau and the New York Herald Tribune News Service. There are likewise news bureaus of various kinds which supply supplemental feature or query reports and New York news bureaus made up of a few employees whose main work is to provide human interest stories to out-of-town papers concerning visits of dignitaries of those localities in New York. The principal

syndicates, with a brief statement as to the character of their operations, are set forth below:

The Chicago Daily News Foreign Service, the Chicago Sun Syndicate, and the Chicago Tribune-New York News Syndicates all offer their supplemental services by mail or telegraph, principally respecting foreign, Washington, and Chicago information of an exclusive, descriptive or interpretative cast, and they do not in any sense give general coverage of the news. Another of their syndicate functions is the furnishing of cartoons and comic features.

The Los Angeles Times News Bureau is a syndicating division of the Los Angeles Times, the sole purpose of which is to market its own writings and features to daily or Sunday newspapers in other localities far removed from Los Angeles. It is not a general news-agency.

NEA Service, Inc., syndicates and distributes columns, features, photos, comics and the like to newspaper clients. Practically all such material is delivered by mail. It is devoid of the character of "spot" or general news.

The New York Herald Tribune News Service is one of the larger newspaper syndicates established to distribute and sell its own articles, special despatches and features to newspapers located outside the principal circulation area of New York Herald-Tribune.

The New York Times News Syndicate, through its connection with the Chicago Tribune-New York News [fol. 1516] Syndicate, Inc., operates in the same fashion as the New York Herald Tribune News Service. At certain hours they may use telegraph or telephone lines to deliver a certain portion of their rush material, but generally they simply market the byproduct of that paper among large distant papers, and their operations do not constitute a general news service.

North American Newspaper Alliance is a syndicate that develops and markets among a selected group of well-established papers certain types of special news articles, or a series of articles, for which relatively high rates are assessed. It is a supplemental news and financial news feature service supplying occasional pictures

but not dealing in spot news. It is closely identified with the New York Times.

Central Press Association originated from a local news bureau. It has a certain amount of syndicate activity, dealing in articles and features, but is not a general press service covering all daily events in any one place, much less the whole world.

The following sets forth the names of other smaller syndicates listed by the defendants and states the character of their activities:

Daily Sports News Service furnishes material of a supplemental character and has no general news function.

Jordan Syndicate furnishes special articles and features from Washington, D. C., to out-of-town papers requiring special coverage over and above wire service.

David Lawrence's National Dispatch distributes the daily article, sometimes called column, written by David Lawrence, and sold by him to a number of newspapers.

Park Row News Service supplies out-of-town newspapers with New York City coverage on the visits of persons of local prominence, and concerning matters affecting those localities, on a space rate basis.

Twentieth Century News Syndicate's chief, if not entire business, consists of the distribution of one or more columns written by one individual, Mr. Barney Glazer. [fol. 1517] It is not a press service nor, strictly speaking, is it a feature syndicate.

Washington Post News Service syndicates the by-product of that paper, in supplemental form.

Woehrle News Service is one of the better known news bureaus in New York City catering to out-of-town newspapers which desire special coverage of events in New York City, most of their clients paying on a space rate basis.

Worldover Press, of Wilton, Connecticut, supplies a mail service of background information on international affairs not ordinarily obtainable from the larger service. Its clients are mostly weekly newspapers and monthly magazines.

World-Wide News Service of Boston, Massachusetts, furnishes by mail, or in a package variety, copy on sub-

ject matters of a wide range, but it does not function as a general news-agency.

Most of the other companies listed in the answers to the interrogatories fall in the class of local bureaus engaged solely in the collection of news of their localities. Thus City News Bureau of Boston, Massachusetts collects news in the metropolitan area of Boston for local newspaper subscribers and possibly gives incidental coverage of such matters to out-of-town papers. The following agencies function in this manner:

Connecticut News Association having headquarters in Bridgeport provides out-of-town papers a special coverage of society news and events in that and nearby Connecticut cities.

Intercity News Service, whose subsidiaries are Economy News Service and Interstate News Services, renders a special kind of service in New York City by furnishing local-angle spot news and features to client papers both in response to queries and by prearrangement. Its service is of a limited nature.

New Jersey Press Bureau is a local news organization concentrating upon local New Jersey news which it con- [fol. 1518] tributes mostly for consumption of New York and Newark papers.

Yards' News Bureau is a small business supplying special news of a local news character not carried by the big news agencies, and which is usually sent out on an approval basis to be paid for if used.

The remaining two names listed in the answers to interrogatories may be separately treated.

Dixie News Service of Hendersonville, N. C., is not in the general news service business nor has it sought daily newspaper business.

British United Press, Ltd., of Toronto, Canada, is a companion or affiliate of United Press Associations. Its news gathering activity in the world at large, other than in Canada and other British dominions or British colonies, are synonymous with those of United Press Associations in this country. British United Correspondents sometimes supplement ordinary UP coverage by acquiring in Australia, Canada and other British states, intelligence of a peculiarly

local interest to British Empire readers. British United Press, Ltd., however, does not sell news in the United States, except through mutual arrangement with United Press Associations.

Herbert S. Moore.

Sworn and subscribed to before me this 12th day of May, 1943. Muriel Rosenwald.

Muriel Rosenwald.

AFFIDAVIT OF R. E. MOORE

STATE OF NEW YORK,
County of New York, ss:

R. E. Moore, being duly sworn, deposes and says:

That he is Press Service Manager for the Long Lines Department of the American Telephone and Telegraph Company; a New York corporation; that he has personally examined or supervised the examination of the records of said corporation relating to its charges for private line telegraph and telephone service to press associations; that he has personal knowledge that the following facts are true:

The monthly interexchange channel, drop service and local channel charges made by American Telephone and Telegraph Company, including those made by it acting as [fol. 1519] agent for the Pacific Telephone and Telegraph Company (a partially owned subsidiary of said corporation) for private line telegraph and telephone service (other than that used for the transmission of pictures) to the organizations named below were as follows as of the month of December 1942:

The Associated Press (including Press Association, Inc.)	$125,324
United Press Associations	113,731
International News Service	50,488
Transradio Press, Inc.	4,206

The approximate annual charge, arrived at by multiplying the foregoing monthly charges by twelve, would be as follows:

The Associated Press (including Press Association, Inc.)	$1,503,888

United Press Associations	1,364,772
International News Service	605,856
Transradio Press, Inc.	50,472

As of December 1942, the number and type of stations served by the private line telegraph and telephone services under contract with the above organizations were as follows:

	Newspapers	Radio stations	Primary and secondary bureaus	Other locations	Total
The Associated Press (including Press Association, Inc.)	786	305	172	19	1,282
United Press Associations	566	462	110	28	1,166
International News Service	171	127	55	8	361
Transradio Press, Inc.	2	21	7	5	35
Total	1,525	915	344	60	2,844

(Signed) R. E. Moore.

Subscribed and sworn to before me this twenty-first day of May, 1943. (Orig. Signed) William J. Keener, *Notary Public.* (Seal.)

Notary Public, Nassau County, No. 856, Cert. filed in New York County. New York County Clerk's No. 320, Reg. No. 4K-146. Commission expires March 30, 1944.

[fol. 1520] AFFIDAVIT OF JOHN J. PADULO

STATE OF ILLINOIS,
County of Cook, ss:

John J. Padulo, being duly sworn, deposes and says:

I am the Comptroller of The Chicago Sun. The Sun keeps books of account in which are currently and regularly recorded in the due course of business, by employees whose duty it is to make the entries, the financial transactions of The Sun including its receipts and disbursements.

As Comptroller of The Sun, I am in charge of the accounting department, and the accounting books and records are kept under my supervision.

I have prepared from the said accounting records of The Sun the transcripts hereto attached as Exhibits "A" and "B."

Exhibit "A" contains a correct description and summary of entries on the accounting records as in said Exhibit set forth.

Exhibit "B" is a correct transcript of the sums paid by The Chicago Sun to the United Press Associations for services for the fifty-two weeks ending December 26, 1942.

The item marked "miscellaneous" under "photographs purchased" includes only items of expenses in connection with the purchases of photographs and does not include expenses in connection with photographs made by the local photographic department of The Sun.

Except for a portion of the telegraph and cable charges, the figures shown in Exhibits "A" and "B" do not include any of the expenses in connection with the Chicago office of The Sun or any allowance for general overhead expenses.

(Signed) John J. Padulo.

Sworn to before me this 7th day of May, 1943. Ruth Herman, Notary Public. My commission expires January 10, 1946. (Seal.)

[fol. 1521] EXHIBIT A

The Chicago Sun

News Services, Etc., for Year 1942

News Services:	*Total cost*
Transradio Press Service, Inc.	$3,923.80
Overseas News Agency, Inc.	135.00
Reuters	2,926.19
Press Wireless, Inc.	5,381.17
Halifax Radio Station	239.70
New York Herald Tribune, Inc.	31,017.06
Washington City News Service	1,270.65
North American Newspaper Alliance, Inc.	18,450.00
Illinois Telegraph News Co.	1,200.00
Howe News Bureau	585.00
Western Union Sports News	613.00
Telegraph and Cable Charges	45,238.81

Leased Wires:	
American Telephone and Telegraph Co.	[1] 26,057.72
Western Union Telegraph Company	[2] 6,959.21
United Press Association	109,725.32
	253,722.63
Photographic Services:	
Times Telephoto Equipment Co.:	
Rental of photo equipment throughout the country	6,788.82
Housing equipment and other photographic charges throughout the country	3,942.76
Acme Newspictures, Inc.	1,714.16
Illinois Bell Telephone Co., transmission charges	4,363.25
	16,808.99
Photographs Purchased:	
British Combine Photos Ltd.	4,584.52
Publix Pictorial Service	2,885.00
Black Star	712.50
Sovoto	2,640.00
Movietone News	850.90
Miscellaneous	4,195.84
	15,868.76

[1] Chicago-Washington; Chicago-New York; Chicago-Washington-New York; Chicago-London circuits.
[2] Chicago-Washington private wire.

[fol. 1522] Washington Bureau (Photographic):

Salaries	$12,048.17
Traveling and Incidental Expenses	1,267.83
Rent	420.00
Photographic Supplies	1,909.88
Photographic Services	4,002.51
Equipment and Remodeling Photographic Laboratory	5,286.50
	24,934.89

Los Angeles Bureau (Photographic):	
Salaries	2,950.00
Traveling and Incidental Expense	1,363.64
Photographic Supplies	637.93
Miscellaneous	841.62
	5,793.19
Other Expenses:	
Baseball Box Score Correspondents and wire charges	5,002.50
Sports Correspondents and wire charges	12,088.45
Regional Correspondents and wire charges	7,444.33
	24,535.28
Washington Bureau (Other than Photographic):	
Salaries	100,660.48
New York Bureau (Other than Photographic):	
Salaries	18,765.53
Traveling and Incidental Expense	5,123.08
	23,888.61
Los Angeles Bureau (Other than Photographic):	
Salaries	5,636.99
Traveling and Incidental Expense	1,272.28
Rent	1,285.71
	8,194.98
San Francisco Bureau:	
Salaries	575.00
Other Expenses	383.38
	958.38
Roving and Foreign Correspondents:	
Salaries	75,925.77
Expenses	46,970.55
	122,896.32

(Here follows one paster, side folios 1523-1524)

[fol. 1523]

EXHIBIT B

United Press Association charges to the Chicago Sun for fifty-two weeks ended December 26, 1942

Week ending—	Total	Wire service	Assessment	Day wire	Overtime wire	Undertime service	Springfield coverage	Financial wire	Financial wire overtime	Financial forms	Race chart	Three copy paper	Special draft lottery wire	Election service	Football service
January:															
3	$2,027.71	$1,000.00	$150.00	$126.75	$191.62	$211.00	$35.00	$113.69	$51.89	$7.18	$129.74	$10.84			
10	2,027.71														
17	2,027.71														
24	2,027.71														
31	2,027.71														
February:															
7	2,027.71														
14	2,027.71														
21	2,027.71														
28	2,027.71														
March:															
7	2,027.71														
14	2,027.71														
21	2,162.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	$135.00		
28	2,027.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84			
April:															
4	2,027.71														
11	2,027.71														
18	3,527.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84		$1,500.00	
25	2,027.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84			
May:															
2	2,027.71														
9	2,027.71														
16	2,027.71														
23	2,027.71														
30	2,027.71														
June:															
6	2,027.71														
13	2,027.71														
[fol. 1524]															
20	2,027.71														
27	2,027.71														
July:															
4	2,027.71														
11	2,027.71														
18	2,027.71														
25	2,027.71														
August:															
1	2,227.71														
8	2,027.71														
15	2,062.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84			
22	2,062.68														
29	2,062.68														
September:															
5	2,062.68														
12	2,062.68														
19	2,062.68														
26	2,087.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84			$25.00
October:															
3	2,087.68														
10	2,087.68														
17	2,087.68														
24	2,087.68														
31	2,087.68														
November:															
7	3,587.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84		1.500.00	25.00
14	[illegible]														

Exhibit D

United Press Association charges to the Chicago Sun for fifty-two weeks ended December 26, 1942

Week ending—	Total	Wire service	Assessment	Day wire	Overtime wire	Undertime service	Springfield coverage	Financial wire	Financial wire overtime	Financial forms	Race chart	Three copy paper	Special draft lottery wire	Election service	Football service
January:															
3	$2,027.71	$1,000.00	$150.00	$126.75	$191.62	$211.00	$35.00	$113.69	$51.89	$7.18	$129.74	$10.84	.....	.....	.....
10	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
17	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
24	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
31	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
February:															
7	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
14	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
21	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
28	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
March:															
7	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
14	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
21	2,162.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	$135.00	.....	.....
28	2,027.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	.....
April:															
4	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
11	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
18	3,527.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	$1,500.00	.....
25	2,027.71	1,000.00	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	.....
May:															
2	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
9	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
16	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
23	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
30	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
June:															
6	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
13	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
[fol. 1524]															
20	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
27	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
July:															
4	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
11	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
18	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
25	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
August:															
1	2,227.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
8	2,027.71	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
15	2,062.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	.....
22	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
29	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
September:															
5	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
12	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
19	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
26	2,087.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	$25.00
October:															
3	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
10	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
17	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
24	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
31	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
November:															
7	3,587.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	1,500.00	25.00
14	2,087.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	25.00
21	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
28	2,087.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
December:															
5	2,062.68	1,034.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	.....
12	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
19	2,062.68	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
26	2,262.68	1,234.97	150.00	126.75	191.62	211.00	35.00	113.69	51.89	7.18	129.74	10.84	.....	.....	.....
Total	109,725.32	52,899.40	7,800.00	6,591.00	9,964.24	10,972.00	1,820.00	5,911.88	2,698.28	373.36	6,746.48	563.68	135.00	3,000.00	250.00

[fol. 1525] AFFIDAVIT OF HAROLD L. SCHILZ

CITY OF WASHINGTON,
District of Columbia, ss:

Harold L. Schilz, being duly sworn, deposes and says:

Deponent is, and has been for a number of years, a Special Assistant to the Attorney General in the Antitrust Division of the Department of Justice.

In the case of *United States* v. *The Associated Press, et al.*, Civil Action No. 19-163, now pending in the United States District Court for the Southern District of New York, The Associated Press, pursuant to Interrogatories Nos. 1, 2, 3, and 4 of the interrogatories served upon it by the plaintiff on or about January 26, 1943, made available for inspection by attorneys for the plaintiff its record of stenographic reports of meetings of its Board of Directors, of its Executive Committee, and of its members, and furnished to the plaintiff, pursuant to the request of attorneys for the plaintiff, photostatic copies of certain pages of said stenographic reports. Deponent avers, on the basis of his personal examination and comparison, that all extracts from the reports of meetings of the Board of Directors of The Associated Press or of its Executive Committee or of its members which are quoted in this affidavit or in the exhibits annexed thereto are correct copies of portions of the reports of such meetings. Deponent further avers, on the basis of his personal examination and study of said reports, that all summaries of the contents thereof included in this affidavit accurately state the contents of the reports to which the summaries relate.

(1) Exhibit No. 1, annexed hereto and made a part hereof, is a correct copy of certain statements made by Kent Cooper at a meeting of the AP Board of Directors held on April 14, 1942, as set forth in the stenographic report of said meeting.

(2) At the meeting of April 14, 1942, Charles B. McCabe, AP representative of the New York Daily Mirror, was permitted to appear before the Board of Directors in support of the New York Daily Mirror's protest against being compelled to pay the additional assessment which AP imposed on it by reason of AP's undertaking to furnish news for-

merly furnished by the New York City News Association, [fol. 1526] and Exhibit No. 2, annexed hereto and made a part hereof, is a correct copy of portions of a statement, prepared by Mr. McCabe's attorney, which Mr. McCabe read at the meeting of April 14, 1942, as set forth in the stenographic report of said meeting.

(3) As set forth in the stenographic report of the meeting of April 14, 1942, Mr. McCabe made the following statement at said meeting:

> Before I had the A. P., I couldn't buy it from the City News Association because—as I said, some feat of legerdemain—all the members were subscribing to it, and therefore, I couldn't get it, because I wasn't a member of the A. P. Then, when I did get the A. P. membership I took on the City News. I tried it, and I said it was no good.

(4) As set forth in the stenographic report of the meeting of April 14, 1942, the Board of Directors adopted a motion, with reference to the New York Daily Mirror's protest, that no exception should be made to the rule that, where a majority of the members in a given territory desire special service, the General Manager shall arrange to furnish that service to all of the members affected and distribute the expense thereof equitably among them:

(5) As set forth in the stenographic report of the meeting of April 14, 1942, Robert McLean, president of The Associated Press and of Bulletin Company, made the following statements with reference to the purchase by Bulletin Company, publisher of the Philadelphia Evening Bulletin, of the evening AP membership formerly held by Public Ledger, Inc.:

> What I think the Board should consider and concern themselves with is this new situation of whether the Associated Press shall approve a dealing in franchising—the right to go out and purchase in the open market a membership in the Associated Press and keep it alive and to comply with the by-laws to such a degree as appears to the member appropriate—the purchaser appropriate.
>
> There are three Philadelphia newspapers fully complying with the by-laws; there is one that isn't. That

[fol. 1527] one is complying with the by-laws technically and in part so that the Board and the A. P. are starting down a new road, or a new avenue.

(6) The following is an extract from the stenographic report of the meeting of April 14, 1942:

> Mr. Perry. Does this statement of yours, Mr. Cooper, recognize a power of the court to sell that membership without the newspaper?
>
> Mr. Cooper. That was the point. We said that the Board would have to approve any such irregularity, and that was what broke up the deal.
>
> Mr. Perry. Couldn't the Board approve it?
>
> Mr. Cooper. The Board can do anything, yes. It has done such things as that.
>
> Mr. Bellamy. The Board recognizes that.

(7) As set forth in the stenographic report of the meeting of April 14, 1942, Richard W. Slocum, general manager of the Philadelphia Evening Bulletin, appeared before the AP Board of Directors and stated that Bulletin Company had been circulating, only in the sense that it was "available for purchase in the business office," the token newspaper which it had been publishing in order to keep alive the AP membership formerly held by Public Ledger, Inc.

(8) As set forth in the stenographic report of the meeting of April 14, 1942, Kent Cooper made the following statements with reference to the AP membership purchased by Bulletin Company:

> Looking at it purely from the A. P. standpoint, I think the Board should have the situation in Philadelphia in its own control, rather than the control of the Bulletin, for two reasons:
>
> First, there is the advantage of taking the onus off of the Bulletin and keeping the membership alive there, in order to keep out competition or to select its competition, which might be a disreputable competition, you see, or something that we wouldn't want to have, [fol. 1528] and so forth. The other is that the welfare of the Associated Press would seem to benefit if the Board should dispose of its affairs rather than leave it to an individual member with a selfish attitude.

(9) As set forth in the stenographic report of the meeting of April 14, 1942, Mr. Moynihan, counsel for The Associated Press, made the following statements with reference to the Bulletin Company's purchase of an AP membership from the trustees in bankruptcy of Public Ledger, Inc.:

> Now, Mr. McLean, I think, because of his position, is inclined to place too much emphasis on what the members of the court said in a private hearing up in their chambers, because they were mad—that's all; but they recognized, of course, when they got down to cases, that they couldn't sell this franchise apart from the newspaper. And the most serious remark I heard was that one of the judges was going to take me down to Thurman Arnold, but he never did it.

(10) Exhibit No. 3, annexed hereto and made a part hereof, is a correct copy of certain statements made by Kent Cooper at the meeting of the AP Board of Directors on April 15, 1942, as set forth in the stenographic report of said meeting, which statements were made with reference to a proposed amendment of the AP by-laws under which a newspaper owner might become an AP member under certain conditions, including the condition that he pay 10% of the total regular assessments received by The Associated Press, since October 1, 1900, from members in the same city and field.

(11) As set forth in the stenographic report of the meeting of April 15, 1942, Mr. Moynihan made the following statement:

> Unless we can establish a value for an Associated Press membership that is exclusive and independent of the protest right, the sum that you are going to exact will be declared to be the valuation of a restrictive right.

[fol. 1529] (12) The following is an extract from the stenographic report of the meeting of April 15, 1942:

> Mr. W. H. Cowles: Well, let us illustrate and bring it our clearly. If they have this resolution which did away with the protest right entirely so that it did not exist any more would that answer the objection as you have described it?
>
> I just want to get this clear in my mind.

Mr. Moynihan. Well, you are still going to make them pay the money, are you not?

Mr. W. H. Cowles. Yes.

Mr. Moynihan. Well then, it is the same thing.

(13) As set forth in the stenographic report of the meeting of the Board of Directors on April 16, 1942, Robert R. McCormick made the following statements:

> I had been thinking about a number of undesirable members we had in the past and how to prevent it in the future. We had Jim Hill who was a secret owner of the Minneapolis Journal; Fairbanks who was the secret owner of the Indianapolis News. In Chicago, we had Yerkes who was hoodling streetcar legislation in the state legislature. We had Samuel Insul who succeeded him. We had John R. Walsh who would be hard to include because his open profession is banking and he used political influence to get deposits and finally wound up where he belongs in Leavenworth Penitentiary, and I don't know what others there may have been.

(14) As set forth in the stenographic report of the meeting of April 16, 1942, Robert McLean made the following statements:

> The newspapers are part of the whole public scene. We utilize the service of transmission and communication lines and I don't believe we can maintain a position which denies to a legitimate applicant in the big cities admission unless we have better grounds than we have today.

[fol. 1530]. (15) As set forth in the stenographic report of the meeting of April 16, 1942, Paul Bellamy stated that a provision that an applicant for membership would be required to make a money payment for becoming a member "is definitely illegal."

(16) As set forth in the stenographic report of the meeting of April 16, 1942, Kent Cooper stated that 10% of the regular assessments paid by the members since 1900, in the city and field would be more than the contributions which these members had made to AP's reserve fund and employees benefit fund.

(17) The following is an extract from the stenographic report of the meeting of April 16, 1942:

> Mr. John Cowles. Kent, is there some psychological argument in your opinion for going way back to 1900. I was going to say something like an amount equal to the last three years' total assessments.
>
> Mr. Cooper. Well, you say three years. This organization started operation in October, 1900. If you took the last three or five years you would increase the percentage which looks punitive. I wanted to take something that looks like a little. Ten percent doesn't sound like much.

(18) As set forth in the stenographic report of the meeting of AP members held on April 20, 1942, John S. Knight, AP representative of the Miami (Fla.) Herald, made the following statements with reference to the proposed amendment to Article III of the AP by-laws relating to admission of members:

> While I am on my feet, I should like to point out, so far as paragraph (b) of Section 2 is concerned, that I have no feeling about an applicant being compelled to relinquish any exclusive right that he may have; but I am just wondering if someone from the Board will explain to me how the applicant would be able to "require the said news, news picture and newspaper feature services, or any of them, to be furnished to such member or members, upon the same terms as they are made available to the applicant."
>
> [fol. 1531] I don't believe the applicant would have that much control over the other news or feature services, and I would think that that paragraph should be eliminated.

(19) The following is a correct copy of part of the stenographic report of the meeting of April 20, 1942, covering certain statements made by Basil Brewer, AP representative of the New Bedford (Mass.) Evening Standard Times and Paul Patterson, an AP director, with reference to paragraph (b), section 2, of the proposed amendment to Article III of the by-laws:

Mr. Brewer. I think that is the only good part of the paragraph (laughter), because, if he can't deliver, he doesn't get the A. P. membership.

Mr. Patterson. Mr. Brewer, that is exactly the point, as brought out in the Board's discussion of it: If he can't deliver, he can't get the membership. Why should be get it? He is getting everything the A. P. member has. If he can't deliver everything he has, why should he qualify as a member? (Applause.)

(20) Exhibit No. 4 annexed hereto and made a part hereof, is a correct copy of certain statements relating to the proposed amendment to Article III of the AP by-laws made by E. K. Gaylord, an AP director, at the meeting of April 20, 1942, as set forth in the stenographic report of said meeting.

(21) As set forth in the stenographic report of the meeting of April 20, 1942, Paul Patterson made the following statement with reference to a proposed amendment to the AP by-laws relating to the election of directors:

We had precisely this in mind: That, in our judgment, there is nothing that so deadens the interests of the members of a voluntary association such as ours in the affairs of their association, and in the value to them and significance to them in the election of Directors that serve their purposes, as a Board automatically succeeding itself; and I think everyone here knows and will agree with me that this Board does automatically succeed itself.

[fol. 1532] We have seen year after year, when Directors were to be elected, that the opposition has withdrawn at the last minute. We don't like the idea of having to contest Directors. It is assumed that the Directors shall succeed themselves for term after term; and I believe you will all agree with me that our present method has successfully, let us say, greatly diminished the interest of members in the election of their Directors.

(22) The following is a correct copy of a portion of the stenographic report of the continued meeting of AP members on April 21, 1942, covering certain statements made by

Robert McLean and S. E. Thomason, publisher of the Chicago Times and a member of the committee on revision of AP by-laws, appointed in 1941:

> Mr. Thomason. But the fact is that the amendments to which the Committee has agreed substitute for "Protest rights" the "values of memberships"?
>
> President McLean. That is right.
>
> Mr. Thomason. I think it is a matter of great concern to everybody here what is being done with protest rights.
>
> President McLean. That is right.
>
> Mr. Thomason. Nobody wants to lose them, and they aren't lost by these amendments as we understand them.
>
> The amendments which you have suggested are those which, generally speaking, eliminate the use of the words "protest rights," and for "protest rights," substitute "values in memberships," is that correct?
>
> President McLean. That is correct. Are you ready for the question?

(23) As set forth in the stenographic report of the meeting of April 21, 1942, S. E. Thomason made the following statements:

> We have drawn our amendments throughout upon the theory that protest rights of members must be preserved and that theory was recognized yesterday. Protest rights were defined as values inherent in mem- [fol. 1533] bership rather than in protest for reasons which I understand were based upon the advice of counsel and certain shudders which the board experienced after receiving a communication from the officers of the Attorney General in Washington.

(24) At the April 1942 meeting the members rejected a proposed amendment to the by-laws which would have authorized the Board of Directors to elect an existing member to membership in a "field" in which he did not have membership but in which there were one or more existing members, upon paying to such member or members the

amount specified by Section 2 of Article III of the by-laws as amended at the April 1942 meeting.

(25) As set forth in the stenographic report of the continued meeting of AP members on April 21, 1942, J. N. Heiskell, AP representative of the Little Rock, Arkansas, Gazette, made the following statements with reference to the proposed amendment to the by-laws referred to in the preceding paragraph:

> We are asked this morning to adopt an article providing that a present member can, as a matter of fact, become a new member in another field in your city merely by application to the Board of Directors. One incidental effect might be this. In many cities, there are say two papers. One of them is a strong, powerful, wealthy, paper and the other is a much weaker paper. Under this iniquitous and inequitable Article VII, the stronger and more powerful paper could, merely by application to the Board of Directors, invade the field of the evening paper and probably put it out of business.

(26) As set forth in the stenographic report of the meeting of AP members held on April 21, 1941, S. E. Thomason, in discussing the question of amending Section 6 of Article VII of the by-laws relating to the time limits for receipt and publication of news by members, made the following statements:

> This whole thing, gentlemen, is shadow boxing. It is not reality, and as soon as the Chairman will advise me that it is in order to do so, I should like to present either [fol. 1534] a motion, or an amendment, that this thing be referred back to the committee for further study, to consider the discussion here last year, which went along what I believe is this highly practicable line: that the A. P. is coming inevitably (and our present practice indicates it) to an organizational method which will permit the A. P. to sell its news service at the standard price whenever anybody wants to buy it.

(27) As set forth in the stenographic report of the meeting of AP members held on April 22 [illegible] Robert McLean,

in discussing the question of amending Section 6 of Article VII of the by-laws relating to the time limits for receipt and publication of news by members, made the following statements:

> The facts of the matter are that in Chicago, in order to clarify the situation, papers have entered into a local agreement. Wherever such local agreements exist, and embrace all the members of the Associated Press in that community, and no vital interest of any other member outside the community is adversely affected, the Board has—and they have been consistent in this for a great many years—accepted the local agreement as a modification of the by-laws locally.

(28) As set forth in the stenographic report of the meeting of April 22, 1940, Robert R. McCormick made the following statements:

> When the Tribune moved its early edition, nine years ago, to 7 P. M., it did not use Associated Press news; it bought service from the United Press.
>
> • • • • • • •
>
> From time to time, the management decries those members of the Board who contribute financial assistance to the other news services.
>
> I have been the recipient of these criticisms, now, for nine years, and have only answered, "I took the United Press because I couldn't get the Associated Press."
>
> • • • • • • •
>
> • • • The afternoon papers also had a difference of opinion about publishing hours. They reached an [fol. 1535] agreement, and the present release time agreement was ratified.
>
> It was not until after that, that the management again threw in my face the fact that I was subscribing to United Press service, and said that under the new release time agreement, I no longer had to, because I could use Associated Press service. I thereupon abandoned United Press service.

(29) As set forth in the stenographic report of the meeting of April 22, 1940, Paul Patterson made the following statements:

The Associated Press rules that we are living under are archaic. They were devised at a time far different from what the present conditions are.

They are wrapped up with tradition, and we are giving the opposition the free field.

They can sell at any time. You can take the United Press, or the International News Service, and publish any time in the twenty-four hours. If you are an Associated Press member, and don't take any other service, you cannot publish between six and nine o'clock except for the present time.

(30) At the meeting of the AP Board of Directors of April 16, 1931, there was discussion of an application for membership and for a limited-service report by an Athens, Tennessee, newspaper. The AP management had queried the member newspapers at Chattanooga, which is 40 miles from Athens, as to whether they objected to this application; following the objection of one of these members, the Board of Directors had postponed action upon the application; and the application had thereafter been withdrawn. As set forth in the stenographic report of the meeting of April 16, 1931, the President of The Associated Press made the following statements in discussing this matter:

Time after time there have been cases where, as far as the Board is concerned, there has not been any question that they would elect the men where it was [fol. 1536] outside the news territory of another member and where we ought to have a member in there. But by reason of the fact that if there is an objection by the nearest member—and the nearest member in this case was 40 miles away—we have held it up and in the meantime they have been obliged to make some news connections and have done it with someone else.

I suppose that in the course of five years we have had 20 cases where we have lost members that the Board would have liked to have had, by reason of the fact that we are asking a man 40 miles away whether he objected to the applicants' coming in or not. Everybody waived for more than 10 miles away, and had left it to the discretion of the Board as to what should be done.

(31) Exhibit No. 5, annexed hereto and made a part hereof, is a correct copy of certain statements relating to

the contract relationships between The Associated Press and certain foreign news agencies, as set forth in the stenographic report of said meeting, made by Melville E. Stone, the Secretary of The Associated Press, at the meeting of the AP Board of Directors of April 16, 1920.

(32) As set forth in the stenographic report of the meeting of the AP Board of Directors of April 19, 1919, the President of The Associated Press stated that an increased assessment levied on a member paper at Nashville, Tennessee, by reason of its having exercised its protest right against an application for membership by a newspaper in another city, was justified because the Nashville paper was thereby obtaining "the beneficial use of very much larger territory."

(33) As set forth in the stenographic report of the meeting of the AP Board of Directors of April 24, 1918, Oswald Garrison Villard, an AP director, in discussing AP's contracts with foreign news agencies, made the following statements:

> The whole point is this, that you are tied up with three Government-owned, probably Government-subsidized, propaganda services. You, a non-money-making organization, are tied up with three money-making organizations, and it is an unholy alliance.

[fol. 1537] and the president of The Associated Press made the following statement:

> We are doing the most foolish thing the Lord ever permitted grown men to do, if we close our relations with Havas and with Reuter.

(34) The following is an extract from the stenographic report of the meeting of the AP Board of Directors of December 12, 1917, relating to a membership application by a Montana newspaper:

> Mr. Booth: I am looking for information. Would it be unusual to vote a franchise to a paper that is not already in existence?
>
> The President: I do not want to make undue trouble but for a Vice President to talk about a franchise—it is bad enough for the Executive Committee to do it.

Mr. Booth: I mentioned that because I have a paper in my pocket which values one at $200,000.00 and I am just reading it.

(35) As set forth in the stenographic report of the meeting of the AP Board of Directors of October 3, 1917, the Secretary of The Associated Press made the following statements;

> Now, all of those agencies being proprietary agencies and more or less governmental agencies have been used for years to sow propaganda through the world. • • • —the world was divided and as part of the territory allotted to Havas agency was South America.
>
> • • • • • • • •
>
> The Havas agency has not been altogether fair to the United States. In its service of news not only in France but for its service of news to South America the United States has been pictured as a country which practically was engaged in race riots. It developed no news whatever except railway accidents and tornadoes, and the great spirit of the American nation was never portrayed.

(36) As set forth in the stenographic report of the meeting of the AP Board of Directors of April 23, 1913, Adolph [fol. 1538] Ochs, an AP director, made the following statements in connection with a discussion of Federal and State antitrust laws:

> I question the right of a contract made by an organization with any organization and making a condition of the membership that no other organization can be admitted into that membership. It seems to me that it is a conspiracy in restraint of trade.
>
> • • • • • • • •
>
> But we have had a decision here in some of these trust cases where they have been influenced in their decision by the fact whether or not that corporation controls, we will say, 50 percent of the output. They arbitrarily fixed certain figures which they think indicated the control. I think if the matter were brought up the court would say the restriction we put in here is simply a device by which we tried to meet the conditions of the law, but it is absolutely effective in closing the doors to any person entering.

(37) Exhibit No. 6, annexed hereto and made a part hereof, is a correct copy of certain statements which were made, as set forth in the stenographic report of the meeting of the AP Board of Directors of March 10, 1909, by the publisher of the Toledo (Ohio) News-Bee in a hearing before the Board at said meeting, following citation of the Toledo News-Bee for violation of the AP by-laws in that it had furnished local news to another news agency.

(38) The following is a correct copy of a portion of the stenographic report of the meeting of the AP Board of Directors of September 18, 1906, relating to a discussion of exercise of a protest right by a member against a membership application by a Wisconsin newspaper:

> Mr. Lawson: I do not know why Hicks should object.
>
> The Secretary: Because he has done what Richardson has done. He has sold his right of protest to another paper. Richardson did the same thing in the Moline case. It is not an uncommon thing.
>
> The President: No; and I do not think that it is immoral.

[fol. 1539] (39) As set forth in the stenographic report of the meeting of the AP Board of Directors of May 15, 1902, Melville E. Stone made the following statements during a discussion of leased wire rentals to be paid by The Associated Press to the Western Union Telegraph Company and others:

> There are two things that I think it is my duty to say to the Board. One is that in 1893, when I became General Manager and looked over the situation, I very soon became convinced that the best interests of The Associated Press did not lie in very low telegraph rates, and that conviction grew on me; that it opened the way to cheap and rival associations, and made the road to monopoly that we are trying to travel, a very much more difficult one, and I expressed myself frequently on that subject.

(Sg'd) Harold L. Schilz.

Subscribed and sworn to before me this 24th day of May 1943. (Sg'd) Beryl E. Lewis, Notary Public. My commission expires June 1, 1946.

EXHIBIT 1

I reported that since the last directors' meeting, the New York City News Association, after having gone through many vicissitudes that nearly wrecked its life, finally had its life wrecked, and left the Associated Press confronted with the problem of what it was going to do with local news.

. . . . . .

And then they[1] asked me whether the Associated Press would cover the local news for them, and I said, "Certainly," if they wanted us to, they to pay the cost of it. That would have to be in conformity with the principle of the board that where seventy-five per cent of the membership in a given situation or circuit voted an increase in their assessments to do certain things and the management [fol. 1540] of the Associated Press is willing to undertake to do them, as consistent with the obligations of the management, that all would be involved—that the full one hundred percent of the membership would be involved.

. . . . . .

My concern was that the membership away from New York get proper protection on New York City news. So I established a New York AP local service, and had the publishers—members of New York—here, and told them what I wanted to do: that first I would keep the thousand dollars and over that we were now collecting from them, and which we no longer would pay to the City News, and I would put a thousand dollars a week of Associated Press general funds in it, and I would coordinate the New York City local staff that we had in it, and they would have to furnish $2,600 a week of additional revenue.

. . . . . .

Now, I'll tell you why it was a great thing for the Associated Press to do this: they had proposals—one of which the city editors greatly favored—from three other concerns, that the local news of New York be collected by them. One of the concerns was the Standard News, one was the Inter-

[1] The word "they" refers to AP members publishing newspapers in New York City.

national News Service, and one was the United Press.

* * * It would have been tragic for the Associated Press if the UP would have the money that they were going to spend—even $2,600 a week, to collect the local news, and the Associated Press had no such facilities, because they could say we would not be entitled to the news of the UP; and therefore we would have no local news except we'd have to go out and get it ourselves, and that would duplicate the effort, and they would be buying it from the UP, and you would assess them also for getting it for ourselves; so there would be considerable antagonism in the Associated Press on the part of all the New York members, and the United Press would have been considered their friend and the one who found the solution. It would have been the same with the INS and with the Standard News.

The United Press offer would have saved the New York members $1,000 more than I was willing to do it for. I mean, I was willing to do it on the basis of $2,600 a week; the UP would have done it for $1,500 a week. The members of the UP would then have had the advantage of advertising [fol. 1541] throughout the country that it was the only local news service for the members of the Associated Press of New York.

* * * * * * *

We are paying $1,000 a week now, but it's worth $1,000 a week to 1,200 members all over the country to get better New York protection.

EXHIBIT 2

When the City News bureau discontinued, the AP decided it would cover the field theretofore covered by the City News bureau. At a meeting of the New York AP publishers, the majority suggested its intention of accepting such service. The Mirror voted against acceptance of such service, and thereafter notified the AP that it did not desire it. Despite all the protestations of the Mirror, the machines were installed, and service begun, and the Mirror was billed for its share of the cost.

This action was based upon a provision in the by-laws of the AP to the effect that if a majority in a particular territory decide to accept the specific service of the AP, all mem-

bers in that territory must likewise accept such service and pay the assessment levied by the Board of Directors in its sole discretion.

* * * * * * *

Insistence upon this provision and declaring it applicable to the present state of facts seems to be an unconscionable practice, since newspapers are forced suddenly to pay considerable sums of money when their budgets may not warrant it nor their financial condition permit it in the exercise of good business judgment. By living up to the letter of this provision, the will of important newspapers can be forced upon less important ones; in some instances, conceivably, putting their competition out of business by the imposition of increased costs, which the lesser newspapers cannot stand.

EXHIBIT 3

Now, if as you say, "Should it be eleven per cent", the answer is no. It should not even be nine per cent either. I want it to be an arbitrary amount, and a nominal amount, because I do not know what the result will be. I have not [fol. 1542] asked the treasurer what that would mean, but it is an amount, and ten per cent does not seem punitive, and I can say—and I know, that Jack Knight would probably get $20,000 or $25,000 for the Miami News, which I think the Miami News would pay and figure that it was a good bargain, and so would Jack Knight.

* * * * * * *

* * * It is true that in several places that the applicant for Sunday service has an exclusive contract with the United Press, and with me it is exclusive if the penalty for getting a service is so great that it is not good business to buy it. I have called that the franchise contract.

* * * * * * *

Now, since I have been connected with the Associated Press we have been getting things done and broadening them, but in mutual membership relations we have stood still. Now, I am just expressing a personal opinion, and

I am not making any personal recommendation, but is out of harmony with the times. I am not speaking so much for the fellow who wants to get in, but I am interested in the fellow who is half in and who is being penalized because he cannot get all the way in.

EXHIBIT 4

Mr. President, if it is all right to continue this discussion while the Committee is working, I should like to call attention to something which does not seem to have reached the minds of most of us, and that is the fact that, all during the past history of the Associated Press, no member has ever received a majority vote in a field where there was a protest right, with two exceptions.

In other words, it is extremely difficult, even if a man is willing to pay the ten per cent of all the moneys paid in for a forty-two year period, and is still a big hurdle, for him to get a majority vote of the members of this organization.

There were two instances in which a majority vote was obtained, and an 80 per cent vote was not obtained. I will cite one of them: the Baltimore "Sun" applied for AP membership. They received more than fifty per cent vote, but did not receive the eighty per cent vote; but the sole reason that they obtained a majority vote, in my judgment, [fol. 1543] was because Mr. Hearst had competing papers, had the Associated Press, and had his own service, and they had neither; and that created a special condition.

I think I am willing, as far as my own field is concerned, to rest absolutely content on the fact that no competitor can come into my field without receiving a majority vote of this Association, instead of an eighty per cent vote. I think it is ample protection in ninety-nine out of a hundred cases, if not in all cases, and I think we ought to take that into consideration.

. . . . . .

. . . If you adopt this, you have no right of protest, but you have a right to expect the majority membership of this Association to stand by you if an unjust attempt is made to drive you out of your field by a membership which is not needed.

EXHIBIT 5

We had a quadrilateral contract with three agencies over there, the terms of which are that we should pay $15,000 a year; that that should be paid to the Reuter Agency and distributed by the Reuter Agency to the Havas Agency and the Wolfe Agency, and their relations to each other had never been disclosed. What proportion of this $15,000 was to go to the Wolfe Agency or what was to go to the Havas Agency had never been disclosed in any of our discussions. The Associated Press was dealing *en bloc* with these three agencies, and their subordinates. I knew that there was over there a division of territory, by which the Latin countries were under the immediate control of the Havas Agency, the Scandinavian and Russian and Austrians were under the immediate control of the Wolfe Agency. The Reuter Agency had immediate responsibility for all the British Colonies and for certain continental countries like Holland.

* * * * * *

The Stephanie Agency, with which there had been some talk of our making a direct contractual relation—the Stephanie Agency of Italy, is controlled financially by the Havas Agency. The Swiss Agency is controlled by the Havas Agency. The Fabri Agency of Spain is owned by the Havas Agency. The Portuguese Agency is owned by the [fol. 1544] Havas Agency. The Belgian Agency is owned one-half by the Reuter Service and one-half by the Havas people, and Mr. Hurst, the representative, is the joint employee of those two organizations.

* * * * * * *

Now I ought to say in passing that there are no agencies of any consequence anywhere in Europe competing with these organizations.

* * * * * * *

Moreover, the situation is this, that as to any of those smaller countries, if they were not owned, if they were not financially under the control of these two larger agencies, they would still be at the mercy of them. * * * In most of those cases there were two things, apart from anything else, that bound these newspapers absolutely to these agencies. There is no monopoly in the world equal to it.

* * * * * * *

EXHIBIT 6

But I would very much prefer personally to go out of the newspaper business and go into some other business if any sort of men, however able they may be, can dictate to me where I shall buy news for my paper, and I want to say to you gentlemen that I am also connected with the United Press. I think you ought to know, in a very small way, and not in an official way, but through our concern. The United Press is trying to do for the newspapers of the country just what you gentlemen according to the question of Mr. Howell here are trying to undo. We are trying to make a newspaper business in this country a free business that gentlemen can engage in. It is a gentlemen's business and we do not know of any reason why we should have to sign away our rights and our privileges to go out and meet the other fellow by buying news and supplying news, so long as we deal fairly with the Associated Press. I don't know, as I say, much about the law of the case.

* * * * * * *

I believe that the precedent which may possibly be established by this board of directors of squeezing down on this [fol. 1545] thing and limiting instead of paying a premium on enterprise and progress in the newspaper business, squeezing down on it and getting it tighter and tighter and making it harder and harder for men who think they ought to go into this business, as they have a right to do, I think it is wrong policy and it is wrong business policy, and I don't think the association will profit by it, and I am quite sure that the United Press won't lose by it, and if there is any purpose back of this—I don't say that there is—if there is any idea back of this that perhaps such a policy is going to do something to interfere with the United Press, I want to say further that no such policy can interfere with the growth of the United Press.

AFFIDAVIT OF HAROLD L. SCHILZ

CITY OF WASHINGTON,
District of Columbia, ss:.

Harold L. Schilz, being duly sworn, deposes and says:

Deponent is, and has been for a number of years, a Special Assistant to the Attorney General in the Antitrust Division of the Department of Justice.

In the case of *United States* v. *The Associated Press, et al.*, Civil Action No. 19-163, now pending in the United States District Court for the Southern District of New York, counsel for The Associated Press augmented the answer of The Associated Press, served on or about May 23, 1943, to plaintiff's Interrogatory No. 61 served January 26, 1943, by furnishing to the attorneys for the plaintiff photostatic copies of the minutes of the meetings of the directors and members of The Associated Press referred to in said answer. I have personally examined these photostatic copies. They contain the following facts relating to the applications for membership in The Associated Press and elections of the newspapers below named:

Santa Rosa (Calif.) Press Democrat.—Elected to AP membership April 24, 1917.

This was an application for a morning membership for a paper which was then receiving INS service. It was within the protest area of the San Francisco members all of whom, except Mr. Hearst of the San Francisco Examiner, waived. Mr. Ochs of the New York Times said at the Board meeting that it was "a very fine record for us to have this agitation, [fol. 1546] this application, from a member taking the Hearst service, who is being kept out of this organization under Mr. Hearst's own protest." (Minutes of meeting of Board of Directors December 18, 1916.) The President of AP, in stating at the annual meeting that it was the unanimous recommendation of the Board that the applicant be elected, said that "Mr. Hearst, while conducting a rival news service, has declined to waive the protest to the applicant." (Minutes of annual meeting April 24, 1917.)

Palo Alto (Calif.) Daily Times.—Elected to AP membership April 23, 1918.

This was an application for an evening membership from a paper published in a town 28 miles from San Francisco and then getting INS service. All the San Francisco members, which had a right of protest, waived except Mr. Hearst of the San Francisco Examiner, a morning paper. In discussing the application before the AP Board of Directors meeting, the secretary of AP stated that if the application went to the membership without a recommendation by the Board of favor of election, "Then, of course, it would be voted down instantly." (Minutes of Board meeting of April 22, 1918.)

Warren (Ohio) Tribune.—Elected to AP membership April 23, 1918.

The answer to Interrogatory No. 61 is incomplete and referred only to the Directors meeting of October 3, 1917, at which the AP Board of Directors deferred action on the application.

The applicant, which was receiving INS service, published an evening paper in a city of 25,000 population. The applicant, a woman, was granted the privilege of supporting her application before the annual meeting. One of the two Youngstown, Ohio, members had waived protest and the other had not although it had a daily circulation in Warren of only about 150. The member which failed to waive, although notified that the application would come before the membership meeting, was not present. The representative of the Cleveland Plain Dealer, having a daily circulation in Warren of about 3,000, recommended election. Cleveland papers, because of train service, being received in Warren earlier than the Youngstown papers coming [fol. 1547] there by streetcar. A rising vote on the application showed 214 favorable and 18 plus one proxy opposed, being more than four-fifths without counting the proxies held by those voting for the application.

Trenton (N. J.) Times and Sunday Times Advertiser.—Elected to AP membership April 22, 1919.

The application was for day and Saturday night reports, the only AP member in Trenton publishing a morning paper without a Sunday edition. Protest rights of Philadelphia papers cover the capitals of two other States, New Jersey and Delaware. All the Philadelphia members except one, representing a morning paper, had waived and the latter member had waived in 1912 for the paper in question subject to the limitation that its membership be perfected within three months but due to the fact that the applicant was tied up with contracts with other press associations the membership had not then been perfected.

San Jose (Calif.) News.—Elected to AP membership April 20, 1920.

This was an application by an evening paper which desired to give up UP service and receive AP. All the San Francisco members except the Hearst member had waived.

Redwood City (Calif.) Tribune.—Elected to AP membership April 24, 1923.

This was an application for an evening membership in a city 25 miles from San Francisco and all the San Francisco members except the Hearst paper had waived. The president, in supporting the application before the membership meeting, said "the Board of Directors thought that the Hearst interests had a press association of their own, and that it was hardly fair that they should deny a paper membership when the protests of the other members in San Francisco had been waived." (Minutes of annual meeting of April 24, 1923.)

(Sg'd) Harold L. Schilz.

Subscribed and sworn to before me this 27th day of May, 1943. (Sg'd) Dorothy J. Heale, Notary Public. My commission expires October 1, 1944. (Seal.)

[fol. 1548] AFFIDAVIT OF OTTO M. SMUCKER

STATE OF ILLINOIS,
County of Cook, ss:

Otto M. Smucker, bing duly sworn, deposes and says:

I am and have been since November, 1941, the financial editor of The Chicago Sun. My newspaper experience commenced on The Herald and Examiner, of which I was for fifteen years financial editor. When The Herald and Examiner went out of business, I joined the financial department of The Herald-American where I remained until coming with The Sun. As financial editor of The Sun, I receive financial news reports when and as they come in, and arrange for their publication in The Sun.

The Herald and Examiner was a member of The Associated Press (herein called "AP"). As financial editor I received— when on The Herald and Examiner—as part of our AP service, news concerning the financial reports of the large corporations. Prompt publication of news concerning these reports is of great importance to the readers of the financial columns of a newspaper.

In the following instances the news items referred to below appeared in The Chicago Tribune on the days indicated. Many of these items were printed without specific credit to The Associated Press but they were the same kind of

information furnished by AP to The Herald and Examiner and frequently run without an AP credit line. In at least one instance, the item was printed with an AP credit line. In each of the instances, the news item was either not furnished to The Sun by UP, or was not furnished to it by UP until after the item had been published in The Chicago Tribune:

February 3, 1942. The preliminary 1941 earnings figures of the E. I. du Pont de Nemours & Co.

February 4, 1942. Vultee Aircraft report for year ending November 30, 1941.

February 6, 1942. Republic Steel Corporation earnings for 1941.

February 7, 1942. Johns-Manville Corporation report for 1941.

February 15, 1942. Youngstown Sheet & Tube, 1941, report.

[fol. 1549] March 1, 1942. Standard Brands, Inc., 1941 earnings report and dividend omission.

March 12, 1942. Eastman Kodak earnings report for 1941.

April 21, 1942. Curtiss-Wright 1941 earnings report.

May 11, 1942. Quarterly report of Celanese Corporation.

May 27, 1942. Remington-Rand, Inc., earnings for fiscal year ended March 31, 1942.

July 21, 1942. General Electric Company earnings for first six months of 1942.

July 31, 1942. United States Rubber Company report for the first six months of 1942.

February 8, 1943. Report of McKesson & Robbins for the year 1942.

February 18, 1943. Report of Crucible Steel Company for the year 1942.

March 27, 1943. Report of Glenn L. Martin Aircraft Company for 1942.

In the following instances, items were printed in The Chicago Tribune which were expressly credited to the Associated Press. None of them were supplied by UP to The Sun until after they had been published in The Tribune:

On the morning of December 31, 1941, The Tribune printed a story under a Washington date line, giving the information that the Securities and Exchange Commission

had ordered the American Light & Power to liquidate. This company is a subsidiary of The North American Company, one of the largest public utility companies in the nation.

On the morning of February 26, 1942, under a Washington date line, The Tribune printed a story stating that the Securities and Exchange Commission had ordered that the United Light & Power Co. could redeem $15,000,000 of its debentures without paying a 9-point premium.

On the morning of April 10, 1942, The Tribune printed a story out of Washington stating that the Securities and Exchange Commission issued an order restricting the Commonwealth & Southern Corporation to a single class of stock in its reorganization, branding the company's capital structure as inflated.

[fol. 1550] On the morning of April 15, 1942, the Tribune printed a story, under a Washington date line, revealing that the Securities and Exchange Commission had ordered the North American Company to dispose of 56 of its subsidiary companies.

On the morning of June 6, 1942, under a Philadelphia date line, the Tribune printed a story stating that United Corporation had been denied suspension of the death sentence by the Securities and Exchange Commission.

On the morning of June 21, 1942, under a Washington date line, the Tribune printed a story to the effect that the Office of Price Administration had cut the ceiling prices on beef.

On the morning of July 22, 1942, The Tribune carried a story under a Washington date line, saying that the Department of Agriculture had announced an increase of 3 cents in its butter buying prices; and ¾ of a cent in its cheese purchasing level.

On the morning of July 24, 1942, under a Washington date line, the Tribune published a story to the effect that the Office of Defense Transportation had slashed long distance truck mileage 25 percent.

August 4, 1942. The Tribune carried the story of the filing of a suit in Washington against the Middle-West Utilities Co.

February 2, 1943. The Tribune published a story concerning a hearing before a three-judge court against the Pullman Company which was charged with being a monopoly in restraint of trade.

March 29, 1943. Report of Lockheed Aircraft Corporation for 1942.

To supplement its financial news service The Chicago Sun has been forced to install a Dow-Jones ticker; also to arrange with its New York correspondent to send out a lengthy query each night on stories appearing in the New York Herald-Tribune. Through these additional sources we receive many important news items that are furnished by the AP as a matter of routine service.

(Sgd.) Otto M. Smucker.

Sworn to before me this 7th day of May, 1943. Ruth Herman, Notary Public. My commission expires January 10, 1946. (Seal.)

[fol. 1551] AFFIDAVIT OF MANFRED K. TOEPPEN

CITY OF WASHINGTON,
District of Columbia, ss:

Manfred K. Toeppen, being duly sworn, says that he is employed by the Federal Communications Commission of Washington, D. C., as Assistant Chief Engineer in Charge of the Common Carrier Division of the Engineering Department, and as such is responsible, among other things, for all enginering work relating to all phases of common carrier communication service by wire; that he is a graduate of Washington University, St. Louis, Missouri, class of 1908, with the degree of Bachelor of Science in Electrical Engineering and has been engaged continuously since that time in the design, construction, and regulation of public utilities, primarily communication utilities, as an employee or as a consultant; that he has been successively student member, associate, and since 1920, member of the American Institute of Electrical Enginers, and also, since 1922, is a registered professional engineer under the laws of the State of Michigan; that in the course of his work he has acquired a comprehensive knowledge of telephone and telegraph communication, both as to the operation of various types of service and the location and extent of such types of facilities throughout the Nation;

He further says that there have been furnished him certain statements prepared by American Telephone and Tele-

graph Company and The Western Union Telegraph Company showing, as of December 31, 1942, the location, type of line, hours of use, points of connection, character of use, etc., of communication facilities furnished by these carriers to divers press associations for use in their business of collecting and disseminating news to their correspondents or customers, such news being furnished primarily to newspapers, and secondarily, to radio-broadcast stations; that he has studied and analyzed this information and is familiar with the location and the relative magnitude of private line telegraph operations of The Associated Press and of the United Press Associations; that he has examined the responses of The Associated Press to Interrogatory Nos. 122 and 123 of the Interrogatories served upon it by the plain-[fol. 1552] tiff in the case of *United States* v. *Associated Press;* that he has been furnished by the Department of Justice with a statement of the number of bureaus and of the number of editorial employees of The Associated Press and of United Press associations as of August 1942; that from the foregoing data he has prepared the following table designed to indicate the nature and extent of the wire services and facilities of the two named press associations used in disseminating news to newspapers:

	Associated Press	United Press Association
Number of bureaus	92	61
Number of editorial employees	714	319
Number of cities served by wire lines	765	472
Number of papers served by wire lines	1,002	578
Number of printers connected	1,774	1,057
Number of intercity leased channels	149	41
Number of channel miles (air line)	110,724	71,602
Weekly mile hours	9,372,727	3,265,518
Number of mile hours per city served	12,252	6,918
Number of mile hours per paper served	9,354	5,650
Number of mile hours per editorial employee	13,127	10,237

He further calls particular attention to the two figures entitled "Mile Hours." These figures, determined as shown in Exhibits A and B attached hereto and made part hereof,

are the product of the air-line length of each portion of leased telegraph line and of the number of hours per week that such line is available for use of each press association or its correspondents and customers; The Associated Press thus makes available for use in serving its correspondents 9,372,727 mile hours of telegraph service each week. This is almost three times the 3,265,518 mile hours of facilities used each week in serving the customers of United Press Associations. In this compilation, leased lines predominantly used for serving radiobroadcast stations and those provided for the exclusive use of certain correspondent papers of The Associated Press, amounting to 11,583 miles and 561,508 mile hours weekly, have been excluded from the comparison; similarly two United Press Associations lines (AT&T Nos. 7551 and 7552) used for news dissemination to 400 cities, principally serving radiobroadcast stations, but incidentally serving 53 newspapers in communi- [fol. 1553] ties remote from other newspaper lines, have also been excluded. These cities are listed on Exhibit C attached hereto and made part hereof. The cost of providing service into these communities from other newspaper lines, probably would be in excess of the cost under the present method of service. This higher cost perhaps would have deprived them of any service whatsoever had not these radiobroadcast lines been available. If these radiobroadcast lines did not serve the 53 newspapers their total lengths would be decreased slightly, as would be the mile hours of use. This difference would be a measure of the quantity of service provided for, and on account of, these newspapers. In view of the large amount of work necessary to determine this differential use and its relatively small size as compared with the United Press Associations' system total, it has not been computed.

The networks of The Associated Press and United Press Associations each extends from Coast to Coast and from the Gulf to the Canadian Border; each maintains numerous bureaus of varying sizes, but the total mile hours per week of facilities provided by The Associated Press, total number of communities served, number of newspapers served, and the number of telegraph printers operated are substantially in excess of the same measures of quantity of service as found to exist in United Press Associations' facilities; the facilities of The Associated Press and United Press

Association are predominantly and primarily used for news dissemination, and incidentally for the collection of news, but for this last purpose they are supplemented by the use of ordinary commercial telephone and telegraph facilities; he further says that, while the preceding table lists the number of editorial employees of the two press associations, he does not undertake to interpret or comment on the significance of the relative magnitude of forces of the two associations with respect to their adequacy for news collecting purposes; but shows only the relative quantity of news-disseminating facilities available for news processing, or editorial employees. Here again greater facilities are available per [fol. 1554] editorial employee in the case of The Associated Press than in the case of United Press Associations.

(Signed) Manfred K. Toeppen, *Affiant.*

Subscribed and sworn to before me a Notary Public duly commissioned and qualified for the City and District aforesaid this 24th day of May, 1943. (Signed) Lenah J. Ferro, *Notary Public.* My Commission expires December 16, 1945. (Seal.)

EXHIBIT A

This document has been omitted in printing.

EXHIBIT B

This document has been omitted in printing.

EXHIBIT C

This document has been omitted in printing.

AFFIDAVIT OF EDWIN MOSS WILLIAMS

STATE OF NEW YORK,
County of New York, ss.:

Edwin Moss Williams, being duly sworn, deposes and says:

That he is vice president and general business manager of United Press Associations, a New York corporation,

hereinafter referred to as UP; that he is informed and believes that as of August 31, 1942 the UP had the following domestic bureaus and the following regularly assigned customary hours of employment (exclusive of overtime) in said bureaus:

1. In each bureau there is a manager who is responsible for news coverage twenty-four hours of each day and whose hours in the office are not regular.

2. Bureaus and customarily regularly assigned hours of employment (exclusive of overtime) of editorial employees exclusive of bureau managers and office boys were as follows:

[fol. 1555]

	Regularly assigned hours of employment (exclusive of overtime) of editorial employes exclusive of bureau managers and office boys	Exclusive of the possible presence of the bureau manager or office boys the bureau had only one editorial employe on duty for the following hours—
Albany	9:00 a. m.-1:00 a. m.	6:00 p. m.-1:00 a. m. 5:00 a. m.-8:00 a. m.
Atlanta	5:30 a. m.-1:30 a. m.	5:30 p. m.-1:30 a. m. 6:00 a. m.-8:00 a. m.
Austin	9:00 a. m.-5:00 p. m.	9:00 a. m.-5:00 p. m.
Birmingham	Manager	
Boise	7:30 a. m.-3:00 p. m.	7:30 a. m.-3:00 p. m.
Boston	All 24 hours	10:30 p. m.-4:30 a. m.
Buffalo	8:00 a. m.-1:00 a. m.	6:00 p. m.-11:00 a. m. 6:00 a. m.-2:00 p. m.
Charleston, W. Va.	11:00 a. m.-8:00 p. m.	11:00 a. m.-8:00 p. m.
Chicago	All 24 hours	
Cleveland	6:00 a. m.-12:40 a. m.	5:00 p. m.-12:40 a. m. 6:00 a. m.-1:40 p. m.
Columbia	Manager	
Columbus	6:30 a. m.-8:00 p. m.	6:00 p. m.-8:00 p. m. 6:45 a. m.-7:00 a. m.
Dallas	6:00 a. m.-7:00 p. m.	6:00 p. m.-7:00 p. m. 6:00 a. m.-7:30 a. m.
Denver	7:00 a. m.-1:00 a. m.	5:00 p. m.-1:00 a. m. 4:00 p. m.-5:00 p. m.
Des Moines	7:00 a. m.-12:00 noon	3:30 p. m.-12:00 a. 7:00 a. m.-9:00 a. m.
Detroit	7:00 a. m.-2:00 a. m.	5:00 p. m.-2:00 a. m.
Fort Wayne	Manager and boy	
Fresno	Manager and boy	
Harrisburg	8:00 a. m.-8:00 p. m.	7:00 p. m.-8:00 p. m. 8:00 a. m.-9:00 a. m.
Hartford	7:00 a. m.-2:40 p. m.	8:00 a. m.-4:00 p. m.
Helena	Manager and boy	
Herrin	Manager and boy	
Houston	Manager	
Indianapolis	3:00 a. m.-1:00 a. m.	7:00 p. m.-9:00 p. m. 3:00 a. m.-6:00 a. m.
Jacksonville	Manager	
Jefferson City	Manager and boy	
Kansas City	7:00 a. m.-1:00 a. m.	6:00 p. m.-1:00 a. m. 7:00 a. m.-9:00 a. m.

	Regularly assigned hours of employment (exclusive of overtime) of editorial employes exclusive of bureau managers and office boys	Exclusive of the possible presence of the bureau manager or office boys the bureau had only one editorial employe on duty for the following hours—
Lansing	7:00 a. m.–3:30 p. m.	7:00 a. m.–3:30 p. m.
Lincoln	7:00 a. m.–3:00 p. m.	7:00 a. m.–3:00 p. m.
Little Rock	6:00 a. m.–3:00 p. m.	8:00 a. m.–2:00 p. m.
Los Angeles	All 24 hours	
Madison	7:00 a. m.–3:00 p. m.	
Memphis	6:00 a. m.–4:00 p. m.	6:00 a. m.–4:00 p. m.
Miami	1:30 p. m.–1:15 a. m.	8:30 p. m.–1:15 a. m.
Milwaukee	7:00 a. m.–1:00 a. m.	4:00 p. m.–1:00 a. m. 7:00 a. m.–4:00 p. m.
Minneapolis	6:00 a. m.–12:00 m. n.	10:00 p. m.–12:00 m. n.
Monterey	Manager	
Nashville	Manager	
New Orleans	6:00 a. m.–9:30 p. m.	6:00 a. m.–1:45 p. m. 2:00 p. m.–9:30 p. m.
Oklahoma City	6:00 a. m.–5:00 p. m.	6:30 a. m.–8:30 a. m.
Olympia	Manager	
[fol. 1556]		
Omaha	4:30 a. m.–10:00 p. m.	4:30 a. m.–6:10 a. m. 2:20 p. m.–10:00 p. m.
Philadelphia	5:30 a. m.–1:00 a. m.	11:30 p. m.–1:00 a. m.
Phoenix	Manager	
Pittsburgh	4:00 a. m.–1:15 a. m.	6:00 p. m.–1:15 a. m.
Portland	6:00 a. m.–12:00 m. n.	6:00 a. m.–1:30 p. m. 3:00 p. m.–9:00 p. m.
Raleigh	11:00 a. m.–1:00 a. m.	11:00 a. m.–12:00 m.
Reno	Manager	
Richmond	Manager.	
Sacramento	8:00 a. m.–9:40 p. m.	6:00 a. m.–9:00 a. m. 4:40 p. m.–9:40 p. m.
Salem	Manager and boy	
Salt Lake City	6:00 a. m.–10:00 p. m.	6:00 a. m.–7:30 a. m. 4:00 p. m.–10:00 p. m.
San Diego	All 24 hours	5:00 p. m.–12:00 m. n. 1:00 a. m.–8:00 a. m.
San Francisco	All 24 hours	
Seattle	6:00 a. m.–3:30 p. m.	6:00 a. m.–8:00 a. m. 1:30 p. m.–3:30 p. m.
Spokane	Manager	
Springfield	7:00 a. m.–4:10 p. m.	7:00 a. m.–8:30 a. m. 4:10 p. m.–5:00 p. m.
St. Louis	All 24 hours	4:30 p. m.–12:00 m. n. 5:00 a. m.–7:30 a. m.
Washington	All 24 hours	
New York	All 24 hours	

(S.) Edwin Moss Williams.

Subscribed and sworn to before me, a Notary Public of the state and county aforesaid, this 14th day of May 1943. (S.) Carl B. Molander, Notary Public. Notary Public, Queens Co. Clks, No. 1547, Reg. No. 141-M-5. Certificate filed in N. Y. Co. Clk. No. 385, Reg. No. 283-M-5. Commission expires March 30, 1945.

Affidavit of Edwin Moss Williams

State of New York,
County of New York, ss:

Edwin Moss Williams, being duly sworn, deposes and says:

That he is vice president and general business manager of United Press Associations, a New York corporation, hereinafter referred to as UP; that the books and records of UP are in his custody and control; that he has personally [fol.1557] examined the same; that he has personal knowledge of the following facts; and that the following facts are true as he verily believes:

As of August 1, 1942, UP furnished its news directly to a total of 1,921 subscribers (the figure "1,921" does not include those Canadian clients of UP's wholly owned subsidiary, British United Press, which serves 47 daily, weekly, and semi-weekly newspapers and 36 radio stations), consisting of the following:

Eight hundred and seventeen (817) daily newspapers published in the English language in the United States;

Twenty-three daily newspapers published in a foreign language in the United States;

Four hundred and eighty-one (481) radio stations located in the United States;

Six hundred (600) newspapers, publications, and radio stations in foreign countries; and domestic publications other than daily newspapers, business organizations, government offices and other persons.

Of the 2,004 UP and British United Press Canadian subscribers, 1,102 domestic subscribers receive delivery of news by leased wire, 139 receive delivery by a form of wire service less than full leased wire, and 680 receive delivery of the news report by various other methods, including radio and leased wire.

The 2,004 UP and British United Press Canadian subscribers are correctly set forth in Exhibit A, attached hereto and made a part hereof. Those served by British United Press in Canada are marked with a red asterisk.

The 665 daily evening newspapers published in the English language in the United States which subscribed to UP's service on August 1, 1942, are correctly set forth in Exhibit B, attached hereto and made a part hereof.

The 152 daily morning newspapers published in the English language in the United States which subscribed to UP's services on August 1, 1942, are correctly set forth in Exhibit C, attached hereto and made a part hereof.

Of the 23 daily newspapers published in a foreign language in the United States, twelve are evening newspapers and eleven are morning newspapers.

[fol. 1558] There is attached to the complaint of the Government in the case of U. S. v. The Associated Press, et al., a list of newspapers marked Exhibit F. During the year 1942, UP collected from papers appearing on said Exhibit F for UP's services furnished to them, more revenue than UP collected from all other newspapers published in the United States subscribing to UP's services.

As of August 1, 1942, of the 665 daily English language evening newspapers published in the United States which subscribe to UP's services, at least 246 are listed in said Exhibit F. Of the 152 daily English language morning newspapers published in the United States which subscribe to UP services, at least 96 are listed in said Exhibit F.

As of August 1, 1942, 69 morning newspapers published in the English language in the United States and 493 evening newspapers published in the English language in the United States were obligated according to the terms of their contracts with UP, to furnish to UP nonexclusively such local news as they may have collected in their respective territories. These newspapers are listed in Exhibit D, attached hereto and made a part hereof. In addition, ten morning newspapers published in a foreign language in the United States and twelve evening newspapers published in a foreign language in the United States were likewise so obligated. None of the newspapers was under any obligation to UP which prohibited the newspaper from furnishing, or which restricted its right to furnish, such news to other news agencies. Of the 481 radio stations located in the United States, 457 were similarly obligated to furnish local news collected by them to UP. Of these 69 morning newspapers, the names of seventeen (17) thereof appear on said Exhibit F. And of the 493 evening newspapers, the names of 82 appear on said Exhibit F.

As of August 1942, UP maintained 61 news bureaus in the United States, including its principal office located in New York City. The names and addresses of these 61 bu-

reaus are correctly set forth in Exhibit E, attached hereto and made a part hereof. At these 61 offices in the United States, UP condenses, classifies, and rewrites its news report for the purpose of furnishing a condensed, classified and rewritten report of the news to UP subscribers. In [fol. 1559] addition, such condensation, classification, and rewriting has from time to time been done at other points as exigencies of particular news events required. As of August 1942, UP maintained a total of 33 news bureaus outside of the United States.

Of the 61 UP bureaus located in the United States, as of August 1942, eight had staffs of more than nine and less than 30 full time employees and three had staffs of more than 30 full time employees. The number of all UP employees at each UP bureau as of August 31, 1942, the classification of each such employee, the aggregate amount of compensation paid such employees figures on an annual basis at each of the eleven largest UP bureaus in the United States for the year 1942 and the aggregate amount of such compensation figured on an annual basis during the year 1942 received by all other bureau employees in the United States shown for each of seven districts of the United States in which the bureaus in which they were employed are located, are correctly set forth in Exhibit F (1), attached hereto and made a part hereof.

As of August 1, 1942, UP had arrangements in the United States with 2,088 "string men." The number of such "string men" located in each state, with the total amount of compensation UP paid such "string men" by states during the year of 1942, is correctly set forth in Exhibit G, attached hereto and made a part hereof.

As of August 1, 1942, the total number of full time employees amounted to 1,326. Seven hundred and ninety-seven (797) were employed in the United States and 529 were employed full time outside the United States. Of the 797 full time employees in the United States, 761 worked on UP's services to both newspaper subscribers and other UP subscribers (including radio stations). Of the 529 full time employees outside of the United States 519 worked on UP's services to both newspaper subscribers and other UP subscribers (including radio stations). Of these 519 employees outside of the United States, approximately 331 were reporters or correspondents.

During the year 1942, UP paid to its full time employees in the United States for work on UP's services to both newspaper subscribers and all other subscribers (including [fol. 1560] radio stations), a total of $2,378,308.43, and to full time employees outside of the United States for work on UP's services to both newspaper subscribers and all other subscribers (including radio stations) a total compensation of $567,041.65. During the year 1942, UP paid to part time employees in the United States who worked on UP services to all classes of UP subscribers a total compensation of $75,041.03.

During the year 1942, the total expenses of UP, exclusive of Federal taxes, in conducting its business of gathering and distributing news to its 1,921 subscribers amounted to $6,065,412.24, which figure does not include radio leased wire charges or $151,493.51, salaries of salesmen and executives allocated to our sales expense.

During the year 1942, the total expenses of UP, exclusive of Federal taxes, in conducting its business of gathering domestic news in the United States for all its subscribers and to the distribution of all of its news to all UP's subscribers of every character located in the United States amounted to $4,896,003.36, which figure does not include $151,493.51, salaries of salesmen and executives allocated to our sales expense.

During the year 1942, the total expenses of UP, exclusive of Federal taxes, in conducting its business of gathering all news for all of its 1,921 subscribers and to the distribution of all of its news to all UP subscribers of every character located in the United States, amounted to $5,974,587.85, which figure does not include $151,493.51, salaries of salesmen and executives allocated to our sales expense.

The revenue collected by UP during the year 1942 from its daily English and foreign language newspaper subscribers located in the United States amounted to 69.37 percent of the total revenue collected by UP from all of its subscribers located in the United States.

During the first six months of 1942, the average number of words furnished by UP daily to newspapers in Chicago subscribing to its services was 264,400 in the case of morning newspapers and 126,000 in the case of evening newspapers. The average number of words furnished by UP daily to newspapers in Washington, D. C., subscribing to

[fol. 1561] its services, was 115,200 in the case of morning newspapers and 93,600 in the case of evening newspapers. In each of the foregoing instances, additional wordage was available to subscribers if they wished it.

On August 1, 1942, UP was furnishing news services to 215 newspaper subscribers publishing in 25 different states of the United States under and pursuant to contracts substantially in the form of Exhibit H, attached hereto and made a part hereof. The names of these 215 newspaper subscribers are correctly set forth on Exhibit I, attached hereto and made a part hereof. Exhibit J, attached hereto and made a part hereof, correctly sets forth 25 subscribers receiving services from UP under and pursuant to such contracts and the amount payable under the "asset value" clause of such contracts in the case of each of said 25 subscribers as of August 1, 1942.

A list of all UP bureaus and UP subscribers located in the United States which sent or received news on wires leased by UP, as of December 31, 1942, the wires or circuits used by each, whether the wire was a trunk, regional or state wire, its use by UP, its wordage capacity, the hours of the day it customarily remained open at each station, a list of control points and split points where UP could, by mechanical means, split the circuit and operate separate relays, and a list of all points on trunk wire circuits, are correctly set forth on Exhibit K, attached hereto and made a part hereof.

United Feature Syndicate, Inc., is a corporation, all of the stock of which is owned by UP. It is engaged in the business of purchasing, promoting and selling newspaper features in the United States and in foreign countries. Some, but not all, newspapers subscribing to its feature services also subscribe for the news services of UP. Some, but not all, of the newspapers subscribing for the UP news services also subscribe for the feature services of United Feature Syndicate, Inc. The features it furnishes include daily comic strips (including "Li'l Abner," "Nancy," "Abbie an' Slats," "Tarzan," and others), color pages, daily panels, columns, (including those written by Westbrook Pegler, Raymond Clapper, Eleanor Roosevelt, Ernie Pyle, Drew Pearson, and others), daily magazine page, daily page of news pictures, daily short stories, serial [fol. 1562] stories, crossword puzzles, patterns, ready print color page service, sport cartoons, editorial cartoons,

special articles, fashions, beauty features, health features, etiquette features, food features, love features, football features, astrology features, serialization of popular books, publication of comic magazines, war maps and magazine sections. During the year 1942 the total expenses of United Feature Syndicate, Inc., exclusive of Federal taxes, in conducting its business of obtaining and furnishing its feature services was $1,223,139. These expenditures include salaries of employees amounting to $368,713.51, of which amount $253,836.73 was paid for services of employees rendered in New York City and $114,876.77 for services of employees rendered outside of New York City. The salary figures do not include all amounts expended by United Feature Syndicate, Inc., in the purchase of features.

During 1942 British United Press Ltd., a wholly owned subsidiary of UP, served the following daily newspapers published in the Dominion of Canada: Amherst, N. S., News; Edmonton, Alberta, Bulletin; Halifax, N. S., Herald; Hamilton, Ontario, Spectator; Lindsay, Ontario, Daily Post; Montreal, Quebec, LeMatin; Montreal, Quebec, La Patrie; Montreal, Quebec, La Presse, Montreal, Quebec, Star; New Westminster, B. C., British Columbian; Ottawa, Ontario, Journal; Port Hope, Ontario, Guide; Quebec, Que., Chronicle Telegraph; Quebec, Que., L'Action Catholique; Regina, Sask., Leader Post; St. Catherines, Ont., Standard; Saskatoon, Sask., Star Phoenix; Sudbury, Ontario Star; Toronto, Ontario, Chinese Times; Toronto, Ontario, Evening Telegram; Toronto, Ontario, Star; Vancouver, B. C., Chinese Times; Vancouver, B. C., News Herald; Vancouver, B. C., Sun; Victoria, B. C., Colonist; Winnipeg, Manitoba, Free Press.

(S.) Edwin Moss Williams.

Subscribed and sworn to before me, a Notary Public of the State and County aforesaid, this 12th day of May 1943. (S.) Carl B. Molander, Notary Public. Notary Public, Queens Co. Clks. No. 1547, Reg. No. 141-M-5, Certificate filed in N. Y. Co. Clk. No. 385 Reg. No. 283-M-5. Commission expires March 30, 1945.

[fol. 1563] EXHIBIT A

This document has been omitted in printing.

Exhibit B

This document has been omitted in printing.

Exhibit C

This document has been omitted in printing.

Exhibit D

493 evening English language newspapers and 69 morning English language newspapers published in the United States, receiving UP news service, obligated to furnish local news to UP.

Evening Papers

Alabama:
- Anniston Star.
- Birmingham Post.
- Mobile Press.
- Talladega Daily Home.

Arizona: Yuma Sun.

Arkansas:
- Arkadelphia Siftings Herald.
- Batesville Guard.
- Blytheville Courier-News.
- Jonesboro Tribune.
- Magnolia Banner-News.
- Mena Star.
- Newport Independent.
- Paragould Press.
- Rogers Daily News.

California:
- Alameda Times Star.
- Anaheim Bulletin.
- Antioch Ledger.
- Berkeley Gazette.
- Brawley News.
- Burbank Review.
- [fol. 1564] Burlingame Advance.

Coalinga Record.
Colusa Sun Herald.
Corning Observer.
Corona Independent.
El Centro Press.
Escondido Times-Advocate.
Eureka Humboldt Standard.
Fullerton News-Tribune.
Gilroy Dispatch.
Hayward Review.
Hanford Sentinel.
Hollister Free Lance.
Hollywood Citizen-News.
Huntington Park Signal.
Inglewood Daily News.
Los Angeles News.
Madera Tribune.
Martinez Contra Costa Gazette.
Merced Sun Star.
Monterey Herald.
Napa Register.
Oakland Post-Enquirer.
Oakland Tribune (SN only).
Oceanside Blade-Tribune.
Ontario Report.
Orange News.
Oxnard Press-Courier.
Pasadena Star News.
Pittsburgh Post Dispatch.
Pomona Progress Bulletin.
Porterville Recorder.
Red Bluff Daily News.
Redlands Facts.
Richmond Independent.
Riverside Press.
Salinas Californian.
San Bernardino Telegram.
[fol. 1565] San Diego Tribune Sun.
San Francisco News.
San Jose Evening News.
San Luis Obispo Telegram Tribune.
San Mateo Times.
San Rafael Independent.
Santa Ana Register.

California—Continued
Santa Cruz Sentinel-News.
Santa Maria Daily Times.
Santa Paula Chronicle.
Santa Rosa Republican.
Turlock Journal.
Vallejo Evening Chronicle.
Ventura Star-Free Press.
Watsonville Register Pajaronian.
Whittier News.
Willows Journal.
Wilmington Press.

Colorado:
Alamosa Courier.
Canon City Record.
Durango Herald-Democrat.
La Junta Daily Democrat.
Lamar News.
Loveland Reporter-Herald.
Montrose Press.
Salida Mail.
Walsenburg World Independent.

Connecticut:
Greenwich Time.
Middleton Press.
Naugatuck News.
Waterbury Democrat.
Winsted Citizen.

District of Columbia:
Washington News.
Washington Times-Herald.

[fol. 1566] Florida:
Deland Sun News.
Lake Worth Leader.
Miami News (SN only).

Georgia:
Americus Times Recorder.
Dublin Courier Herald.
La Grange News.
Marietta Journal.

Idaho:

Boise Capital News.
Coeur D'Alene Press.
Moscow Daily Idahonian.
Nampa Free Press.
Twin Falls Times.

Illinois:

Beardstown Illinois Star.
Belleville News-Democrat.
Belvidere Republican.
Casey Reporter.
Charleston Courier.
Chicago Drovers Journal.
Danville Commercial News.
Dekalb Chronicle.
Duquoin Call.
East St. Louis Journal.
Edwardsville Intelligencer.
Freeport Journal-Standard.
Galesburg Register-Mail.
Harrisburg Register.
Herrin Journal.
Hoopeston Chronicle Herald.
Kankakee Republican News.
Lawrenceville Record.
Lewiston Record.
Litchfield News-Herald.
Marion Post.
Morris Herald.
[fol. 1567] Mt. Carmel Republican-Register.
Murphysboro Independent.
National Livestock Reporter.
Paris Beacon-News.
Pekin Times.
Peoria Star.
Pontiac Leader.
Robinson News.
Rock Island Argus.
Savanna Times-Journal.
Shelbyville Union.
Watseka Iroquois County Times.
West Frankford American.

Indiana:

Alexandria Times Tribune.
Auburn Star.
Bluffton News-Banner.
Brazil Times.
Clinton Clintonian.
Columbia City Commercial-Mail.
Columbia City Post.
Columbus Republican.
Decatur Democrat.
Elwood Call Leader.
Evansville Press.
Gary Post Tribune.
Goshen News-Democrat.
Greencastle Banner.
Hammond Times.
Hartford City News-Times.
Huntington Herald-Press.
Indianapolis Times.
Kendallville News-Sun.
Kokomo Tribune.
La Porte Herald-Argus.
Lebanon Reporter.
Linton Citizen.
[fol. 1568] Logansport Pharos-Tribune
Martinsville Reporter.
Michigan City News-Dispatch.
Monticello Herald-Journal
Mt. Vernon Democrat.
Peru Tribune.
Plymouth Pilot.
Portland Sun.
Princeton Clarion News.
Princeton Democrat.
Sullivan Times.
Terre Haute Tribune.
Valparaiso Vidette-Messenger.
Wabash Plain Dealer.
Warsaw Times.

Iowa:

Ames Tribune.
Boone News Republican.
Clinton Herald.

Davenport Times.
Ft. Madison Democrat.
Keokuk Gate City.
Oelwein Register.
Oskaloosa Herald.
Shenandoah Sentinel.
Washington Journal.

Kansas:
Kansas City Kansan.
Liberal Southwest Times.
Wichita Eagle.

Kentucky:
Ashland Independent.
Middlesboro News.
Paducah Sun Democrat.

Louisiana: Opelousas World.

Massachusetts:
Brockton Enterprise Times.
[fol. 1569] Holyoke Transcript Telegram.
Hyannis Cape Cod Standard.
Lynn Telegram News.
Marlboro Enterprise.
Quincy Patriot Ledger.
Southbridge News.
Springfield News.
Waltham News-Tribune.

Michigan:
Albion Recorder.
Alpena News.
Battle Creek Enquirer News.
Big Rapids Pioneer.
Cadillac Evening News.
Cheboygan Tribune.
Coldwater Reporter.
Detroit Times.
Dowagiac News.
Greenville News.
Holland Sentinel.
Lansing State Journal.

Michigan—Continued

Manistee News Advocate.
Marshall Chronicle.
Midland News.
Petoskey News.
Pontiac Press.
Royal Oak Tribune.
South Haven Tribune.
Sturgis Journal.
Three Rivers Commercial.
Traverse Record Eagle.
Ysailanti Press.

Minnesota:

Brainerd Dispatch.
Moorehead News.
New Ulm Journal.
Red Wing Republican Eagle.
[fol. 1570] South St. Paul Reporter.
Stillwater Gazette.

Mississippi:

Clarksdale Press.
Grenada Star.
Jackson News.
McComb Journal.

Missouri:

Brookfield Argus.
Columbian Missourian.
Excelsior Springs Standard.
Independence Examiner.
Kansas City Drovers Telegram.
Kirksville Express.
Lexington Advertiser News.
Mexico Ledger.
Neosho Democrat.
Rolla New Era.
St. Louis Star Times.
Warrenburg Star Journal.

Nebraska:

Columbus Telegram.
Falls City Journal.

Hastings Tribune.
McCook Gazette.
Nebraska City News Press.
Omaha Journal Stockman.
Plattsmouth Journal.
York Daily News-Times.

Nevada:
Carson City Appeal.
Elko Free Press.
Ely Times.
Las Vegas Review Journal.
Tonopah Times Bonanza.
Winnemucca Humboldt Star.

[fol. 1571] New Jersey:
Camden Courier.
Hoboken Observer.
Paterson News.
Redbank Standard.
Vineland Journal } Consolidated.
Vineland Times }
Woodbury Times.

New Mexico:
Albuquerque Tribune.
Portales News.
Roswell Record (SN only).

New York:
Brooklyn Citizen.
Brooklyn Eagle.
Catskill Mail.
Cohoes American.
Dunkirk Observer.
Hempstead Newsday.
Herkimer Telegram.
Jamaica Press.
Long Island City Star-Journal.
Middletown Times Herald.
New York PM.
New York World Telegram.
Newburgh-Beacon News.
Niagara Falls Gazette.

New York—Continued

North Tonawanda News.
Olean Times Herald.
Oneida Dispatch.
Staten Island Advance.

North Carolina:

Greensboro Record.
Hendersonville Times-News.
Kinston Free Press.
Reidsville Review.
Statesville Record.

North Dakota: Fargo Forum.

[fol. 1572] Ohio:

Ashland Times Gazette.
Ashtabula Star Beacon.
Bellaire Leader.
Bellevue Gazette.
Bucyrus Telegram Forum.
Cambridge Jeffersonian.
Celina Standard.
Cincinnati Post.
Cleveland Press.
Columbus Citizen.
Conneaut News-Herald.
Coshocton Tribune.
Dayton Herald.
Delaware Gazette.
Delphos Herald.
East Palestine Leader Press.
Elyria Chronicle Telegram.
Fostoria Review.
Fremont News Messenger.
Galion Inquirer.
Gallipolis Tribune.
Greenville Advocate.
Kenton Democrat.
Lancaster Eagle-Gazette.
Lorain Journal.
Mansfield News-Journal.
Marietta Times.
Martins Ferry Times.

Marysville Tribune.
Middletown Journal.
Niles Times.
Norwalk Reflector-Herald.
Painesville Telegraph.
Piqua Call.
Ravenna Record.
Sandusky Register Star News.
Tiffin Advertiser Tribune.
[fol. 1573] Troy News.
Wapakoneta News.
Zenia Gazette.

Oklahoma:

Altus Times-Democrat.
Alva Review Courier.
Anadarko News.
Blackwell Journal.
Clinton News.
Cushing Citizen.
Duncan Banner.
El Reno Tribune.
Elk City News.
Frederick Leader.
Henryetta Free Lance.
Hobart Democrat-Chief.
Holdenville News.
Hugo News.
Lawton Constitution.
Mangum Star.
Norman Transcript.
Okemah Leader.
Pawhuska Journal Capital.
Perry Journal.
Sapulpa Herald.
Sayre Headlight Journal.
Seminole Producer.
Vinita Journal.
Wewoka Times-Democrat.
Woodward Press.

Oregon:

Albany Democrat-Herald.
Asland Tidings.

Oregon—Continued
Astoria Astorian Budget.
Bend Bulletin.
Eugene Register Guard.
La Grande Observer.
Marshfield Coos Bay Times.
[fol. 1574] Medford Mail Tribune.
Portland Oregon Journal.

Pennsylvania:
Altoona Mirror.
Ambridge Citizen.
Ashland News.
Beaver Times.
Berwick Enterprise.
Bradford Star & Record.
Butler Eagle.
Cannonsburg Notes.
Carlisle Sentinel.
Charleroi Mail.
Chester Times.
Columbia News.
Connellsville Courier.
Du Bois Express.
Easton Express.
Erie Times.
Franklin News Herald.
Greensburg Tribune.
Harrisburg News.
Homestead Messenger.
Huntingdon News.
Jeannette News-Dispatch.
Jersey Shore Herald.
Kittanning Simpsons' Leader Times.
Latrobe Bulletin.
McKeesport News.
Mahanoy City Record-American.
Milton Standard.
Monessen Independent.
Monongahela Republican.
Mount Carmel Item.
New Kensington Dispatch.
Norristown Times Herald.
Philadelphia News.
Pittsburgh Press.

[fol. 1575] Pittston Gazette.
Pottsville Journal.
Ridgeway Record.
Sayre Times.
Shamokin News-Dispatch.
Sharon Herald.
Shenandoah Herald.
Sunbury Item.
Tamaqua Courier.
Uniontown News Standard.
Washington Reporter.
West Chester Local News.
Williamsport Sun.

South Dakota:

Madison Leader.
Pierre Dakotan.
Redfield Journal-Observer.

Tennessee:

Athens Post Athenian.
Chatanooga News-Free Press.
Clarksville Leaf-Chronicle.
Cleveland Banner.
Columbia Herald.
Kingsport Times.
Knoxville News-Sentinel.
Memphis Press-Scimitar.

Texas:

Bay City Tribune.
Bonham Favorite.
Breckenridge American.
Brenham Banner-Press.
Brownwood Bulletin.
Childress Index.
Cleburne Times-Review.
El Paso Herald Post.
Ennis News.
Ft. Worth Press.
[fol. 1576] Gladewater Times-Tribune.
Gonzales Inquirer.
Goose Creek Sun.

Texas—Continued.
Henderson News.
Houston Press.
Kilgore News-Herald.
Mexia News.
Mineral Wells Index.
Nacogdoches Sentinel.
Odessa American.
Palestine Herald & Press.
Port Arthur News (SN only).
Ranger Times.
Sweetwater Reporter.
Taylor Press.
Terrell Tribune.
Tyler Courier-Times.
Victoria Advocate.
Waco Times Herald.
Waxahachie Light.

Utah:
Logan Herald-Journal.
Provo Herald.

Vermont: Burlington News.

Virginia:
Alexandria Gazette.
Clifton Forge Review.
Lynchburg Advance.
Martinsville Bulletin.
Radford Star.

Washington:
Anacortes Mercury.
Bremerton Sun.
Mt. Vernon Herald.
Seattle Star.
Seattle Times.
Tacoma Times.

[fol. 1577] West Virginia:
Charleston Mail (SN only).
Moundsville Journal.
Parkersburg Sentinel.
Weirton Times.
Wheeling News Register.

Wisconsin:
Ashland Press.
Baraboo News-Republic.
Beaver Dam Citizen.
Deloit News.
Eau Claire Telegram.
Kenosha News.
Madison Wisconsin State Journal.
Merrill Herald.
Neenah News-Times.
Portage Register-Democrat.
Racine Journal Times.
Sheboygan Press.
Stoughton Courier-Hub.
Watertown Times.
Waukesha Freeman.

Morning Papers

Alabama: Mobile Register.

Arkansas: Hope Journal.

California:
Chico Record.
Hanford Journal.
Lodi News Sentinel.
Long Beach Morning Sun.
Los Angeles News.
Oroville Mercury Register.
Pasadena Post.
Pittsburg Independent.
Richmond Record Herald.
Riverside Enterprise.
San Diego Union.
[fol. 1578] San Francisco Commercial News.
San Francisco Wall Street Journal.
Santa Rosa Press Democrat.
Vallejo Times Herald.

Colorado:
Denver Rocky Mt. News.
Trinidad Light.

District of Columbia: Washington Times-Herald.

Florida: Ocala Banner.

Illinois:
Chicago Journal of Commerce.
Chicago Sun.
Clinton Journal-Public.
Peoria Journal-Transcript.

Indiana:
Marion Leader-Tribune.
Shelbyville Republican.
Terre Haute Star.

Kansas: Abilene Chronicle.

Kentucky: Lexington Herald.

Maryland: Baltimore Record.

Massachusetts: Boston News Bureau.

Mississippi: Tupelo Journal.

Missouri: Carthage Democrat.

Montana: Havre News.

Nebraska:
Beatrice Times.
North Platte Bulletin.

Nevada: Reno State Journal.

New Jersey:
Atlantic City World.
Camden Post.

New York:
Hudson Star.
Kingston Leader.
New York Daily Mirror.
New York Daily Worker.
[fol. 1579] Plattsburg Republican.
Schenectady Gazette.

North Carolina:
Greensboro News.
Greenville News Leader.
Kannapolis Independent.

Oregon:
Oregon City Enterprise.
Portland Journal of Commerce.

Pennsylvania:
Danville News.
Du Bois Courier.
Philadelphia Legal Intelligencer.
Scranton Tribune.

Oklahoma: Muskogee Phoenix.

Tennessee:
Johnson City Times.
Memphis Commercial Appeal.

Texas:
Marshall American.
Tyler Telegraph.
Waco News-Tribune.

Utah: Brigham Box Elder News-Journal.

Washington: Seattle Journal of Commerce.

Wisconsin: Eau Claire Leader.

Wyoming:
Cheyenne Wyoming Eagle.
Laramie Bulletin.
Rawlins Republican Bulletin.
Rock Springs Rocket.
Worland News.

[fol. 1580] EXHIBIT E

Location of all U. P. news bureaus in the United States and respective districts covered:

Location	District and territory of which it reports news:
U. P. A., 48-50 State St., Albany N. Y.	Most of New York State.
U. P. A., 522 Western Union Bldg., Atlanta, Ga.	All of Southern States.
U. P. A. State House, Austin, Tex.	Texas Capitol.
U. P. A., Post Bldg., Birmingham, Ala.	State of Alabama.
U. P. A., Capital News Bldg., Boise, Idaho	State of Idaho.
U. P. A., 262 Washington St., Boston, Mass.	State of Massachusetts and all of New England.
U. P. A., 1739 Rand Bldg., Buffalo, N. Y.	Local and western part of New York State.
U. P. A., 428 Morrison Bldg., Charleston, W. Va.	State of West Virginia.
U. P. A., Daily News Bldg., Chicago, Ill.	All of Central and Mid-west States.
U. P. A., Press Bldg., Cleveland, Ohio	Northern section of Ohio.
U. P. A., 1811 Main St., Columbia, S. C.	State of South Carolina.
U. P. A., Citizen Bldg., Columbus, Ohio	State Capitol and remainder of State not covered by Cleveland.

Location	District and territory of which it reports news
U. P. A., 1003 Texas Bank Bldg., Dallas, Tex.	Divisional headquarters for all Southwestern States.
U. P. A., Symes Bldg., Denver, Colo.	Colorado, Wyoming and New Mexico.
U. P. A., Register-Tribune Bldg., Des Moines, Iowa.	State of Iowa.
U. P. A., 813 W. Lafayette Blvd., Detroit, Mich.	State of Michigan.
U. P. A., Journal Gazette Bldg., Ft. Wayne, Ind.	Local.
U. P. A., Bee Bldg., Fresno, Calif.	Local.
U. P. A., 403 Patriot Bldg., Harrisburg, Pa.	State Capitol.
U. P. A., 650 Main St., Hartford, Conn.	State of Connecticut.
U. P. A., 1306 11th Ave., Helena, Mont.	State of Montana.
U. P. A., Daily Journal Bldg., Herrin, Ill.	Southern section of Illinois.
U. P. A., Press Bldg., Houston, Tex.	Local.
U. P. A., Times Bldg., Indianapolis, Ind.	State of Indiana.
U. P. A., Times-Union Bldg., Jacksonville, Fla.	Local.
U. P. A., Post Tribune Bldg., Jefferson City, Mo.	State Capitol.
U. P. A., Journal Post Bldg., Kansas City, Mo.	State of Kansas and Western Missouri.
U. P. A., 402 Hollister Bldg., Lansing, Mich.	State Capitol.
[fol. 1581]	
U. P. A., Journal Bldg., Lincoln, Nebr.	State Capitol.
U. P. A., 328 Gazette Bldg., Little Rock, Ark.	State of Arkansas.
U. P. A., Daily News Bldg., Los Angeles, Calif.	Southern California.
U. P. A., 115 S. Carroll St., Madison, Wis.	State Capitol.
U. P. A., Commercial-Appeal Bldg., Memphis, Tenn.	Western section of Tennessee.
U. U. A., Herald Bldg., Miami, Fla.	State of Florida.
U. P. A., 540 W. Juneau Ave., Milwaukee, Wis.	State of Wisconsin.
U. P. A., Star-Journal Bldg., Minneapolis, Minn.	Northwestern States.
U. P. A., Peninsula Herald Bldg., Monterey, Calif.	Local.
U. P. A., Third National Bank Bldg., Nashville, Tenn.	State Capitol and Eastern Tennessee.
U. P. A., 734 Union St., New Orleans, La.	Louisiana and Mississippi.
U. P. A., 220 East 42d St., New York, N. Y.	General headquarters. World-wide coverage.
U. P. A., c/o Station WTAR, Norfolk, Va.	Local.
U. P. A., 5 North Hudson St., Oklahoma City, Okla.	State of Oklahoma.
U. P. A., New Capitol Bldg., Olympia, Wash.	State Capitol.
U. P. A., World Herald Bldg., Omaha, Nebr.	State of Nebraska.
U. P. A., Inquirer Bldg., Philadelphia, Pa.	Eastern section of Pennsylvania.
U. P. A., 709 Heard Bldg., Phoenix, Ariz.	State of Arizona.
U. P. A., Press Bldg., Pittsburgh, Pa.	Western section of Pennsylvania.
U. P. A., Journal Bldg., Portland, Oreg.	State of Oregon.
U. P. A., 116 W. Martin St., Raleigh, N. C.	State of North Carolina.
U. P. A., State Journal Bldg., Reno, Nev.	State of Nevada.
U. P. A., c/o Radio Station, WRVA, Richmond, Va.	State of Virginia.
U. P. A., 221 State Capitol, Sacramento, Calif.	State Capitol.
U. P. A., Capital Journal Bldg., Salem, Oreg.	State Capitol.
U. P. A., 410 Tribune Bldg., Salt Lake City, Utah	State of Utah.
U. P. A., Union Bldg., San Diego, Calif.	Local.
U. P. A., 814 Mission St., San Francisco, Calif.	Entire Pacific Coast.
U. P. A., Star Bldg., Seattle, Wash.	State of Washington.
U. P. A., 200 Symons Bldg., Spokane, Wash.	Local.
U. P. A., State Journal Bldg., Springfield, Ill.	State Capitol and Illinois.
U. P. A., Star Times Bldg., St. Louis, Mo.	Eastern Missouri.
U. P. A., National Press Bldg., Washington, D. C.	National Capital.

[fol. 1582] EXHIBIT F

United Press domestic news staff as of August 31, 1942

Bureau	Full-time employees	Annual aggregate pay	Classification
Atlanta	10	$31,367.00	2 managers. 7 newsmen. 1 boy.
Boston	12	23,816.00	1 bureau manager. 8 newsmen. 3 boys.
Chicago	34	98,424.00	2 managers. 31 newsmen. 1 boy.
Dallas	10	26,601.00	2 managers. 5 newsmen. 3 boys.
Los Angeles	13	32,604.00	1 bureau manager. 10 newsmen. 2 boys.
Philadelphia	11	22,542.00	1 bureau manager. 9 newsmen. 1 boy.
Pittsburgh	10	20,956.00	1 bureau manager. 7 newsmen. 2 boys.
San Francisco	15	56,112.00	2 managers. 13 newsmen.
St. Louis	10	19,110.00	1 bureau manager. 5 newsmen. 4 boys.
Washington	64	197,522.00	1 bureau manager. 57 newsmen. 6 boys.
New York	*174	682,665.00	153 newsmen. 21 boys.
Eastern District			
Covered by Albany, Buffalo, Harrisburg, and Hartford.	16	38,012.00	4 bureau managers. 11 newsmen. 1 boy.
Southeast District			
Covered by Birmingham, Columbia, Jacksonville, Memphis, Nashville, Miami, New Orleans, Raleigh, and Richmond.	16	31,200.00	9 bureau managers. 7 newsmen.
Great Lakes District			
Covered by Charleston (West Virginia), Cleveland, Columbus, Detroit, Fort Wayne, and Lansing.	26	47,616.00	7 managers. 17 newsmen. 2 boys.

* Some of these newsmen are subject to outside assignments, in the U. S. A., but work in New York when not on such assignments.

[fol. 1583]

Bureau	Full-time employees	Annual aggregate pay	Classification
Central District			
Covered by Des Moines, Herrin, Indianapolis, Lincoln, Madison, Milwaukee, Minneapolis, Omaha, and Springfield.	40	$77,064.00	9 bureau managers 29 newsmen. 2 boys.
Southwest District			
Covered by Austin, Denver, Houston, Jefferson City, Kansas City, Little Rock, and Oklahoma City.	23	48,958.00	7 bureau managers 14 newsmen. 2 boys.
Pacific Northwest District			
Covered by Boise, Helena, Olympia, Portland, Reno, Salem, Salt Lake City, Seattle, and Spokane.	22	41,600.00	9 bureau managers 9 newsmen. 4 boys.
Pacific Southwest District			
Covered by Fresno, Monterey, Phoenix, Sacramento, and San Diego.	12	20,592.00	5 bureau managers 5 newsmen. 2 boys.
Total	518	1,516,761.00	

Hours: All work 40 hours per week except Bureau Managers and except where overtime is necessary and compensated for.

EXHIBIT G

	Number of string correspondents as of Aug. 1, 1942	Amount paid during 1942
Alabama	6	$1,442.84
Arizona	19	517.00
Arkansas	4	404.00
California	138	4,802.05
Colorado	48	1,907.00
Connecticut	10	383.75
Delaware	2	14.50
Florida	25	1,813.10
Georgia	13	2,672.61
Idaho	29	378.70
Illinois	161	4,225.68
Indiana	130	2,935.20
Iowa	135	2,624.47
Kansas	85	22.15
Kentucky	12	40.65
Louisiana	8	1,751.67
Maine	10	395.93
Maryland (including District of Columbia)	13	2,213.01
Massachusetts	64	4,380.34
Michigan	103	2,669.57

[fol. 1584]

	Number of string correspondents as of Aug. 1, 1942	Amount paid during 1942
Minnesota	100	$2,729.16
Missouri	8	2,004.73
Mississippi	6	205.50
Montana	76	10.00
Nebraska	90	1,713.74
Nevada	17	735.50
New Hampshire	2	46.50
New Jersey	8	133.60
New Mexico	2	25.50
New York	104	10,464.97
North Carolina	49	1,829.08
North Dakota	7	33.15
Ohio	135	3,165.85
Oklahoma	20	677.69
Oregon	46	925.25
Pennsylvania	98	4,155.74
Rhode Island	4	34.15
South Carolina	8	148.00
South Dakota	6	27.15
Tennessee	4	998.29
Texas	25	2,679.84
Utah	32	308.08
Vermont	2	19.50
Virginia	9	661.00
Washington	57	2,264.00
West Virginia	62	1,180.42
Wisconsin	90	1,444.30
Wyoming	6	2.15
Total number of string correspondents	2,088	
Total amount paid		74,217.06

Exhibit H

Asset Value Agreement

Made this day of A. D. 19 , at New York, N. Y., between United Press Associations, a New York Corporation, (hereinafter called United Press) and a corporation, (hereinafter called the Publisher), Witnesseth

That for and in consideration of one ($1.00) dollar by each to the other in hand paid, the receipt whereof is hereby acknowledged, and of the mutual agreements herein stated, the parties mutually agree as follows:

Article 1. United Press hereby bargains and sells to the Publisher the right and privilege of publishing in the
[fol. 1585] , a newspaper printed in the English language, at , its regular

report, and agrees as far as practicable to deliver said News Report to the Publisher at .....

Article 2. (a) The Publisher agrees to accept said News Report and to pay to United Press at its New York office during the initial term of five (5) years from ..... to ....., the sum of $..... payable weekly in advance as follows:

per week thereafter during the life of this Agreement (subject to revision if any under Article 2 (e)). United Press agrees that the sum of $..... shall be the Asset Value of this Agreement during said initial five (5) year period; provided, however, that if the Publisher makes payments hereunder (including additional payments under Article 4 hereof) during such initial five (5) year period in excess of twice said Asset Value, then said basic Asset Value, as such excess payments are made, shall be increased at the end of each contract year during such initial five (5) year period by fifty percent (50%) of such excess payments made during any such year. The said Asset Value shall be increased at the end of each contract year after the said initial term of five (5) years by ten percent (10%) of the total annual payments made in such year by the Publisher for such service during all succeeding years of the life of this contract, except as hereinafter set forth. If United Press shall, at any time after the date of this agreement (except as provided in Article 2 (c) hereof), sell its above-mentioned News Report to an English language morning/evening newspaper not receiving such Report (or any part thereof) at the date hereof, and not issued by the Publisher, and located within the corporate limits of the City of the Publisher, United Press agrees, as one of the conditions of such sale of service, to collect from the owner of such other newspaper a sum equal to the then Asset Value under this agreement at the date of such sale of service; provided that such sum collected by United Press under this Article 2(a) or under Article 2(b) of this agreement, shall not exceed ten (10) times the total [fol. 1586] annual payment made by the Publisher to United Press during the last calendar year immediately preceding date of such sale. United Press agrees to pay over to the Publisher the funds so collected, said payment to be made in cash at least five (5) days prior to the commencement of

service to such other daily newspaper. Said payment shall be made by United Press and received by the Publisher in complete liquidation and payment of the Asset Value under this agreement up to and including the date of commencement of service to such other daily newspaper.

(b) Thereafter, beginning with the date of commencement of service to such other daily newspaper as above stated, a new Asset Value shall accrue hereunder. Such new Asset Value at the end of any year of the next succeeding five years beginning with said date of commencement of service to such other daily newspaper, shall equal fifty (50%) per cent of the total payments made by the Publisher to United Press hereunder during all preceding years of such period of five years. At the end of each succeeding year after the expiration of said period of five years, there shall be added to said new Asset Value ten (10%) per cent of the total annual payment made during any such year. Payments on account of such new Asset Value shall be made and received as above set forth in Article 2 (a) in the event said News Report, or any part thereof, is sold by United Press (except as provided in Article 2(c) hereof) to any other English language morning/evening newspaper not receiving such report (or any part thereof), at the date of re-commencement of accrual of Asset Value under this Article 2 (b), and thereafter new Asset Value shall accrue hereunder and be liquidated in the same manner as set forth in this Article 2 (b).

(c) In the event any morning/evening newspaper now receiving said News Report, or any part thereof, and located within the corporate limits of the City of the Publisher, discontinues publication or discontinues receiving said News Report, then United Press may sell and deliver said Report for publication to any morning/evening newspaper located within the corporate limits of the City of the Publisher whether or not such newspaper is receiving such Report (or any part thereof) at the date of said discontinuance of publication or said discontinuance of receiving such Re- [fol. 1587] port, without any obligation on United Press to collect and/or pay any Asset Value to the Publisher under this agreement.

(d) In the event the Publisher makes additional payments under Article 4 hereof, the amount thereof shall be

added to and included in the total annual payments to be used in determining Asset Value under this agreement. In the event the Publisher at any time is in default or fails to fulfill any obligation under this agreement, or notifies United Press of Publisher's desire to terminate this agreement, or terminates this agreement under the provisions in Article 3 (a) hereof, then the Publisher shall not be entitled to any Asset Value or to receive anything from United Press hereunder.

(e) Not less than six (6) months prior to the expiration of the initial term of five (5) years and of each succeeding five (5) year period of this agreement, United Press, if it so elects, may submit to the Publisher, in writing, a schedule of weekly rates to be in effect and payable to United Press for the above-mentioned News Report for each year during the next succeeding five (5) year period. In the event any such schedule of rates is submitted and is objectionable to the Publisher, the Publisher shall, within ten (10) days of the date of receiving such schedule so notify United Press, and thereupon each party shall, within ten (10) days thereafter select one arbitrator, and the two thus selected shall select a third within ten (10) days after receiving notice of their selection. The said three arbitrators shall accept or reject such new schedule of rates within thirty (30) days after the selection of the third arbitrator, and the decision of any two of them shall be binding on both parties to this agreement. In the event of the rejection of the new schedule by any two of said arbitrators, United Press shall submit successive schedules until one is accepted by the majority of said arbitrators, it being agreed that the new schedule of rates shall date from the beginning of the period for which the schedule is fixed, as provided in this agreement (irrespective of the date of the decision), and that until a new schedule is accepted by a majority of the arbitrators the rate immediately theretofore in effect shall be paid and credited on account.

(f) The Parties agree that, at the date of this agreement, the circulation of the is [fol. 1588] and the City of has a population of within the limits of said City, as such limits are defined and/or used by the Audit Bureau of Circulations in its accounting for newspapers, and growth in circulation

and/or population shall be one of the factors taken into consideration in establishing any future rates.

Article 3. (a) This agreement shall continue for the period of five (5) years beginning with the date specified in Article 2 (a) hereof and shall thereafter renew itself continuously for periods of five (5) years each, unless the Publisher notifies United Press by registered letter received by United Press at least one year before the beginning of the first five (5) year renewal period, or any subsequent five (5) year renewal period, of its desire to terminate this Agreement; in which event this Agreement shall terminate at the beginning of the next renewal period which would have commenced thereafter; otherwise it shall remain in full force and effect, subject to all the terms and conditions hereof.

(b) In event of the sale, transfer or consolidation of the above-mentioned newspaper property of the Publisher, the Publisher hereby agrees and guarantees that his or its successor or assignee shall fulfill the terms and conditions of this agreement.

Article 4. The Publisher agrees to provide typewriter and necessary quarters for wire and operator or telephone-typewriter machines or other necessary transmission equipment and necessary wire, installation and power required for operation of telephone-typewriter machines or other necessary transmission equipment, and agrees to receive and accept said News Report and pay without deduction to United Press at its New York office, during the term of this agreement, as provided in Article 2 of this agreement; provided (1) that if the transmission companies, to which tolls are paid on behalf of the Publisher by United Press, raise the tolls on said News Report or increases the rental rate on telephone-typewriter machine equipment supplied by them; or if the wage scale for union employees is increased, said Publisher shall also pay the increases in such tolls, rental or union wages to the United Press; (2) that if said News Report or any wire or other facilities used [fol. 1589] in the transmission thereof shall be hereafter made subject to any Federal or State tax of any kind payable either directly or indirectly by United Press, the Publisher shall reimburse United Press for the proportion thereof, as determined by United Press, properly applicable to said News Report; (3) that in case of a war or any other

extraordinary event requiring an additional or extraordinary expenditure of $1,000.00 or more weekly by United Press in securing and delivering the news of the same, United Press may assess and the Publisher shall pay United Press an additional sum of not to exceed 25% of the Publisher's regular weekly payment, for a period coincident with such extraordinary expenditure by United Press.

Article 5. The Publisher agrees not to furnish or permit to be furnished by its employees or from its office, any portion of the United Press report or any news tips therefrom to any other person, corporation, publication or publisher, or make any other use thereof than in the above-mentioned newspaper, without the written consent of United Press; and further agrees to respect all release pledges on advance matter and to carry copyright lines on all copyrighted matter, and to carry the United Press credit line wherever it appears in the service copy.

Article 6. The Publisher agrees to furnish to United Press, at the office of the Publisher, all the local news and special service from tributary news territory collected by the Publisher, without cost to United Press, and to make no subsequent news service arrangements which will interfere, in any way, with the fulfillment of all of the Publisher's obligations under Article 6 of this Agreement.

Article 7. It is mutually agreed that United Press reserves the right to make working arrangements and exchanges of news and transmission facilities with other press associations, publishers or persons, and to sell said News Report to any other party or parties.

Article 8. It is further mutually agreed that United Press shall in no event be liable for any loss or damage arising to the Publisher by reason of the publication of any of the news received by the Publisher from United Press.

Article 9. This agreement is made subject to the ability of the transmission companies to furnish facilities, and the [fol. 1590] continuance of intermediate clients now on the circuit, unless United Press is satisfied with the rate named in this agreement or same can be mutually readjusted.

Article 10. It is further mutually understood and agreed that time, both as to delivery of said News Report and to

said weekly payments, is of the essence of this agreement; that a waiver of any breach shall not be construed to effect a waiver of any future breach of this agreement.

Article 11. This written agreement comprises the entire understanding of the parties hereto on the subject matter herein contained; any and all oral representations or agreements of any agent of either party shall be null, void and of no effect whatsoever.

Article 12. This contract shall bind and benefit the respective executors and administrators, successors or assigns of the parties hereto.

Article 13. The Board of Directors of the United Press, by resolution marked "Exhibit A," attached hereto and made part hereof, has authorized its President or Vice-President to sign this agreement on its behalf and affix its corporate seal; and the Board of Directors of the Publisher, by resolution marked "Exhibit B," attached hereto and made part hereof, has authorized its President to sign this agreement on its behalf and affix its corporate seal hereto.

In witness whereof, the parties hereto have hereunto signed their names and affixed their corporate seals, in pursuance of authority duly granted each at New York, N. Y., this — day of ——, 19—.

United Press Associations, By —— ——, President;
By —— ——, President.

Signed and delivered in presence of: — ——— As to U. P. A. —— ——, As to Publisher.

[fol. 1591] EXHIBIT I

U. S. Newspapers Having Asset Value Contracts With UP

Paper

Alabama:
Anniston Star.
Anniston Sunday Star.
Mobile Press.
Mobile Register.

Arizona:

Phoenix Gazette.
Phoenix Republic.
Tucson Citizen.

California:

Bakersfield Californian.
El Centro Press.
Eureka Standard.
Fresno Bee (Day leased).
Fresno Bee (Nite leased).
Fresno Bee (Sat. night).
Hanford Sentinel.
Hanford Journal.
Inglewood News.
Long Beach Press Telegram (Day lsd.).
Long Beach Press Telegram (Sat. nite).
Los Angeles Herald Express.
Modesto Bee (Day lsd.).
Modesto Bee (Nite lsd.).
Napa Register.
Pasadena Star News.
Pasadena Post.
Richmond Independent.
Riverside Press.
Sacramento Bee.
San Bernardino Telegram.
San Jose News.
[fol. 1592] San Mateo Times.
Santa Monica Outlook.
Santa Rosa Republican.
Santa Rosa Press Democrat.
Stockton Record.
Vallejo Times Herald.
Ventura Star-Free Press.
Watsonville Reg-Pajaronian.
Vallejo Chronicle.

Colorado: Pueblo Chieftain.

Connecticut:

Bridgeport Post.
Hartford Times.
Waterbury Democrat.

Delaware:

Wilmington Journal Evening.
Wilmington Morning News.

Florida:

Miami News.
Miami Herald.
Miami Beach News.
Orlando Morning Sentinel.
Orlando Reporter Star.
St. Petersburg Times.
Tampa Tribune.

Georgia:

Savannah Press.
Savannah News.

Idaho:

Boise Daily Statesman.
Boise Evening Statesman.
Twin Falls Times.

Illinois:

Bloomington Pantagraph.
Champaign News Gazette.
Champaign (Urbana) News Gazette.
Chicago Daily News.
[fol. 1493] Peoria Star.
Peoria Sunday Star.
Peoria Transcript.
Rockford Morning Star.
Rockford Register-Republic.
Springfield States Register.

Indiana:

Columbus Republican.
Ft. Wayne News Sentinel.
Gary Post Tribune.
Hammond Times.
Hammond Sunday Times.
Peru Tribune.
South Bend Tribune (Day lsd.).
South Bend Tribune (S) Sat. nite.
Terre Haute Star (Nite lsd.).
Terre Haute Tribune (Day lsd.).

Indiana—Continued
Terre Haute Tribune & Star (Sat.).
Wabash Plaindealer.

Iowa:
Cedar Rapids Gazette (Day lsd.).
Cedar Rapids Gazette (Nite lsd.).
Cedar Rapids Gazette (Sat. nite).
Des Moines Register Tribune.
Des Moines Register.
Dubuque Telegraph Herald (Day lsd.).
Dubuque Telegraph Herald (Nite lsd.).
Waterloo Courier (Nite lsd.).
Waterloo Courier (Day lsd.).

Louisiana:
Baton Rouge State Times.
Shreveport Times.
Shreveport Sunday Times.

Maine:
Portland Express.
Portland Press Herald.

[fol. 1594] Massachusetts:
Fall River Herald News.
Lawrence Tribune.
New Bedford Standard Times.
Worcester Gazette.

Michigan:
Alpena News.
Battle Creek Enquirer News.
Lansing State Journal (Day lsd.).
Lansing State Journal (Sat. nite).
Pontiac Press.
Port Huron Times Herald.

Mississippi:
Meridian Star (Sat. nite)
Meridian Star (Day lsd.)

Missouri:
St. Joseph News Press.
Springfield Leader Press (Day lsd.).
Springfield News & Leader Press (Nite).
Springfield News & Leader (Sat. nite).

Montana:
Great Falls Leader.
Great Falls Tribune.

Nebraska:
Lincoln State Journal (Day lsd.)
Lincoln Sunday Journal & Star (Sat.).
Omaha World Herald (Nite lsd.).
Omaha Sunday World Herald (Sat. nite).
Omaha World Herald (Day lsd.).

New Jersey:
Camden Evening Courier.
Camden Morning Post.
Passaic Herald News.
Paterson Evening News.
Trenton Gazette.
Trenton Times & Advertiser.
Trenton Times.

[fol. 1595] New York:
Albany Knickerbocker News.
Auburn Citizen Advertiser.
Jamestown Post Journal.
Niagara Falls Gazette.
Rochester Democrat & Chronicle (Nite).
Rochester Democrat & Chronicle (Sat.).
Rochester Times-Union.

North Carolina:
Asheville Citizen.
Asheville Citizen-Times.
Asheville Times.
Durham Sun.
Greensboro Daily News.
Greensboro Record.
Winston-Salem Sentinel.

Ohio:
Akron Beacon Journal (Day lsd.).
Akron Beacon Journal (Sat. nite).
Canton Repository.
Lorain Journal.
Mansfield News Journal.
Toledo Blade.

Ohio—Continued
Youngstown Vindicator-Telegram (Sat.).
Youngstown Vindicator-Telegram (Day lsd.).

Oklahoma:
Enid Eagle & News.
Muskogee Phoenix & Times Dem.
Tulsa Tribune.

Oregon:
Eugene Register Guard (Day lsd.).
Eugene Morning Register & Guard (Nite).
Marshfield Coos Bay Times.
Medford Mail Tribune.
Salem Capital Journal.

[fol. 1596] Pennsylvania:
Allentown Chronicle & News.
Allentown Morning Call.
Harrisburg Patriot.
Harrisburg Evening News.
Johnstown Democrat.
Johnstown Tribune.
McKeesport News.
Pittsburgh Post Gazette.
Reading Eagle.
Reading Times.

Rhode Island:
Pawtucket Times.
Providence Bulletin.
Providence Journal.
Providence Sunday Journal.

South Carolina:
Charleston Evening Post.
Charleston News & Courier.
Greenville News.
Greenville Piedmont.

Tennessee:
Chattanooga News Free Press.
Chattanooga Sunday Times.
Nashville Banner.

Texas:
Abilene Reporter News.
Amarillo Globe.

Austin Statesman.
Austin American.
Beaumont Enterprise.
Beaumont Journal.
Corpus Christi Caller.
Corpus Christi Times.
Dallas News.
Dallas Sunday News.
El Paso Sunday Times.
[fol. 1597] El Paso Times.
Galveston News Tribune.
Houston Post.
Houston Sunday Post.
Kilgore News Herald.
Port Arthur News.
Texarkana News & Gazette.
Tyler Courier Times.
Waco News Tribune.
Waco Times Herald.
Waco Tribune Herald.

Utah:
Ogden Standard Examiner.
Salt Lake City Telegram.
Salt Lake City Tribune.

Washington:
Aberdeen World.
Bellingham Herald.
Everett Herald.
Spokane Chronicle.
Vancouver Columbian.
Walla Walla Union Bulletin.
Olympia Olympian.

West Virginia:
Charleston Mail.
Charleston Sunday Mail.

Wisconsin:
Eau Claire Telegram.
Green Bay Press Gazette.
Kenosha News.
Madison State Journal (Day lsd.).
Madison State Journal (Sat. nite).

Wisconsin—Continued
Oshkosh Northwestern.
Racine Journal Times.
Sheboygan Press.

[fol. 1598] EXHIBIT J

Paper	Present asset value	Type of service
Akron Beacon Journal	$49,153.42	Day lsd.
	7,017.80	Sat nite.
Camden Evening Courier	26,980.20	Day lsd.
Chicago Daily News	50,000.00	Day lsd.
Dallas News	36,676.04	6 Nite lsd.
Des Moines Register Tribune	73,134.49	Day and Sn.
Des Moines Register	19,148.98	Nite lsd.
Fort Wayne News Sentinel	18,000.00	Day lsd.
Harrisburg Evening News	41,325.25	Day lsd.
Hartford Times	33,150.00	Day lsd.
Houston Post	25,844.00	6 Nite lsd.
Los Angeles Herald Express	90,387.50	Day lsf.
		Nite drop.
Miami Herald	30,965.65	Nite lsd.
Nashville Banner	48,150.97	Day lsd.
Omaha World Herald (M)	13,973.76	6 Nite lsd.
Omaha World Herald (E)	42,920.23	Day lsd.
Pittsburgh Post Gazette	44,540.00	6 Nite lsd.
Providence Bulletin	41,672.00	Day lsd.
Rochester Democrat & Chronicle	19,500.00	6 Nite lsd.
	9,750.00	Sat Nite.
Rochester Times-Union	57,590.00	Day lsd.
Sacramento Bee	28,422.52	Day lsd.
Salt Lake City Tribune	21,564.94	7 Nite lsd.
Shreveport Times	11,199.05	Nite lsd.
Toledo Blade	48,753.64	Day lsd.
Worcester Gazette	23,133.04	Day lsd.
Youngstown Vindicator-Telegram	7,179.12	Sat nite.
	61,854.11	Day lsd.

EXHIBIT K

This document has been omitted in printing.

[fols. 1599-1600] IN THE DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

Affidavits Filed in Behalf of Defendants, Tribune Company and Robert Rutherford McCormick, in Opposition to Motion of Plaintiff for Summary Judgment

[fols. 1601-1602] AFFIDAVIT OF ROBERT RUTHERFORD McCORMICK, DEFENDANT

STATE OF ILLINOIS,
County of Cook, ss:

I have read the affidavit of Alfred McClung Lee dated May 20, 1943, in which he gives his opinion concerning the First Amendment and its application to this case and in which he also purports to give my views concerning the First Amendment. To qualify as one entitled to express here an opinion on the First Amendment, I submit my experience as follows:

Born 1880; 1889-1893 in Europe with parents; 1893-1899 lived with my grandfather, Joseph Medill. As his grandson I have been interested in the newspaper press and its problems since childhood. 1901 toured Europe with my father, then Ambassador to Austria, later Ambassador to Russia and France; 1899-1903 at Yale University where I received an academic degree, specializing in literature and history; in the last year there I spent five hours weekly in the study [fol. 1603] of law. 1904 entered Northwestern Law School in Chicago and was law clerk in the office of Isham, Lincoln and Beale. 1904-1906 alderman of City of Chicago. 1906 left law school to become President of the Sanitary District, which delayed my admission to the bar of Illinois until 1908; 1908 became partner in law firm Shepard & McCormick, now Kirkland, Fleming, Green, Martin & Ellis, from which I retired in 1920.

1910 elected Treasurer of Tribune Company and in 1911 President; co-editor of the Tribune Company with Joseph Medill Patterson until 1926, when he removed to New York, having started the New York Daily News in 1919; thereafter until now, editor and publisher of Chicago Tribune.

1915 war correspondent to England, France, Gibraltar, Malta, Greece, Servia, Bulgaria, Roumania, Russia, Sweden

and Norway and created an organization of war correspondents. Later, 1919, I converted this organization into a foreign news service, that part of it in Europe being organized around the Paris edition of the Chicago Tribune. I inspected this organization yearly until the depression of 1929 and I have always kept in touch with each of its members and their work.

Returning from service as a war correspondent, lectured at the Plattsburg training camp and other camps. 1916 commissioned Major in the First Cavalry Illinois National Guard; commanded the Second Battalion in the Army on the Texas border; June 1917 appointed to General Pershing's staff in France; October 1917 sent to the Artillery School of the First Artillery Brigade; January 1918 assigned to command of First Battalion Fifth Field Artillery and conducted this battalion to the front in Alsace-Lorraine and Picardy until after the battle of Cantigny when I was hospitalized; July 1918 commissioned Lieutenant Colonel and assigned as Brigade Adjutant of the 26th Artillery [fol. 1604] Brigade, and then as instructor in the 33rd Division. Thereafter promoted to the rank of Colonel and assigned to command a detachment at Fort Sheridan consisting of several thousand men of mixed arms. I was commanding the 63rd Field Artillery en route to France when the Armistice was declared. After honorable discharge joined the Officers Reserve Corps and was placed upon the list of officers suitable for general staff duty and service as general officer; retired from Reserve at the age of fifty.

In 1925 Vice-President of The Associated Press and a Director of The Associated Press since 1926.

My early interest in freedom of the press was increased by the case of *Henry Ford* v. *Tribune Company*, started in 1916, tried in 1919, involving the freedom of the press to comment on utterances of public men; *William Hale Thompson* v. *Tribune Company* tried in 1922 involving same issue; *City of Chicago* v. *Tribune Company*, 307 Ill. 595 (1923), in which I participated of counsel; *Journal of Commerce Publishing Company* v. *Tribune Company*, 286 Fed. 111 (1922) and *Reeda* v. *Tribune Company*, 218 Ill. App. 45 (1920) in both of which it was sought to impress The Chicago Tribune with a public interest. The comprehensive historical studies in *City of Chicago* v. *Tribune Company* were used in *Near* v. *Minnesota*, 283 U. S. 697 (1931), in which case I partici-

pated and which was handled by my former law partners at my request in the Supreme Court of Minnesota and in the Supreme Court of the United States.

During the pendency of the latter case, elected Chairman of the Committee on Freedom of the Press of the American Newspaper Publishers Association, and from that time until the present I have known of and followed closely almost every important case involving freedom of speech and of the press in the United States. As chairman of this Committee I made several reports to the Ameri- [fol. 1605] can Newspaper Publishers Association and delivered a number of lectures, which were finally compiled into one volume and published by D. Appleton-Century Company, 1936, under the name "The Freedom of the Press."

I have studied the origins of freedom of speech in England and partially financed a trip of an eminent scholar there to make further research. As traveler and foreign correspondent, I have studied the correlation of press and government in foreign countries, notably England, France (where the Tribune maintained a Paris edition during and after World War I) and Russia (pre-revolution).

In 1933 I had an opportunity in Germany to examine the methods through which the press in Germany had been and was being suppressed. As Chairman of the Committee on Freedom of the Press I collaborated with the American Newspaper Publishers Association in securing an amendment to the NRA code respecting the liberties of the press; this is mentioned in the pamphlet adverted to by Lee. I have made many speeches and broadcasts in an effort to popularize the concept of freedom of speech and press and other constitutional principles. I have built up a library which contains briefs of counsel in most of the modern significant freedom of speech and freedom of the press cases.

Books written are: With the Russian Army, The MacMillan Company, 1915; The Army of 1918, Harcourt, Brace and Howe, 1920; What Is a Newspaper, Public Service Bureau, Tribune Company, 1924; The Sacking of America, Tribune Company, 1932; Ulysses S. Grant, D. Appleton-Century Company, 1934; The Freedom of the Press, D. Appleton-Century Company, 1936; How we Acquired Our National Territory, Tribune Company, 1942, and The

Powers of the National Government and The Rights of American Citizens, Tribune Company, 1943.

[fol. 1606] Lee has taken a quotation from a portion of one of my pamphlets which had special reference to aspects of the NRA Code relating to the freedom of the press and has used it as indicative of my general views on the subject applicable to the instant case. With respect to the instant case, my study and experience warrant the expression of the following opinions:

First. Save for the Wide World Merger (Complaint p. 51, par. 108 also Motion for Summary Judgment, page 3, par. 7; and the Canadian Press contract, Motion for Summary Judgment, p. 3), the sole acts of the defendants charged by the government to be unlawful are the inclusion of three provisions in the AP by-laws, contractual in nature, which are alleged to be in unreasonable restraint of trade contrary to the anti-trust laws of the United States.

Second. These three contractual restrictions or restraints are:

Restraint One. The by-law provision or contract that members of AP will not sell or give its service to nonmembers prior to publication (Complaint p. 33, par. 78; Motion for Summary Judgment p. 4, par. 2 et seq.).

Restraint Two. The by-law provisions contractual in nature which are alleged to have the effect of restraining AP from furnishing its service to a newspaper (i.e. from admitting a newspaper to membership) published in the field of a member without the consent of that member (Complaint p. 33, par. 78; Motion for Summary Judgment p. 4, par. 2 et seq., pp. 12-16).

Restraint Three. The by-law provision or contract that members of AP will furnish local news of spontaneous origin solely to AP (idem.).

All of the purported evils which the government wishes to rectify are stated to result from these three restraints. [fol. 1607] No other acts of the defendants—save only the Wide World merger and the Canadian Press contracts—are alleged to have accomplished the putative evils here sought to be rectified.

Third. Restraint One—i.e. "The by-law provision or contract that members of AP will not sell or give its service to nonmembers prior to publication"—is the usual, customary, normal and almost universal obligation imposed by contract on all those who receive matter later to be published. Without this contractual restraint on the right of the recipient at will to distribute matter thus communicated to him, no news-agency or feature service could function; for the first subscriber not so restrained would be entitled prior to general publication to resell the matter to whomsoever he might wish and thus to steal the efforts of the initiator and render them valueless.

Whatever may be the views on protection of matter subsequent to general publication, the contractual imposition of confidence prior to publication has been universally held reasonable. In my opinion, based upon my experience, this prepublication contractual confidence cannot constitutionally be impaired by court, legislature or executive: it cannot be impaired by criminal punishment, injunction, civil suits for damages, or by any other means without abridgment of the freedom of the press.

Fourth. Restraint Two—i.e. "The by-law provisions contractual in nature which are alleged to have the effect of restraining AP from furnishing its service to a newspaper (i.e. from admitting to membership) published in the field of a member without the consent of that member." For the purpose of this discussion I am assuming that the so-called three barriers (Complaint p. 40, par. 92 et seq.; Motion for Summary Judgment p. 12 et seq.) [i.e., *First,* the majority vote of the members for election; *Second,* the pay-[fol. 1608] ment by the applicant for the benefit of members in the field of a sum equal to 10% of the total amount of the regular assessments received by AP from such field; *Third,* the relinquishment by the applicant of exclusive news or photo service] amount to a contractual restraint that AP shall not furnish its service to the competitor of a member without that member's consent. I am also assuming that admission to membership is tantamount to furnishing the news service.

This contractual restraint is the normal, customary, usual, proper, and reasonable means to give value to news matter, features, photographs and other literary efforts furnished to the purchaser thereof. Without such restraint

the matter sold would be of little or no value to the purchaser. The restraint is reasonable not only in the field of publishing but also in the field of manufacturing and has been so held by the courts. The heart and core of competition between newspapers is the struggle for exclusiveness, —"beats" and "scoops," in news content, exclusiveness of features, white paper, writers, type and all other matters.

In my opinion, based upon my experience, this contractual exclusiveness, ancillary to the purchase and sale of literary matter, cannot constitutionally be impaired by court, legislature or executive. To do so is to deny to the newspaper press the right to contract for that degree of self-protection allowed to manufacturers, distributors, moving picture manufacturers and distributors and others. Discrimination against the press is an abridgment of freedom of the press in respect of any natural, normal, necessary and reasonable contractual obligations.

Fifth. Restraint Three—i. e. "The by-law provision or contract that members of AP will furnish local news of spontaneous origin solely to AP." The members of AP who bind themselves to send local spontaneous news solely to AP per-[fol. 1609] form the functions of stringmen. From the earliest time gatherers and reporters of news for newspaper publication have customarily if not universally bound themselves by agreement to send their reports to only one newspaper in a given newspaper field. This agreement or restraint is ancillary to the sale and purchase of the stringmen's literary efforts, necessary to give value to the same. There are literally thousands of stringmen throughout this country and the world most if not all of whom are bound by this contractual obligation. It is natural, normal, reasonable, proper and necessary for the members of AP to be contractually obligated to the same extent in so far as they perform the functions of reporters of news.

In my opinion, based upon my experience, to inhibit by injunction, by criminal prosecution, by civil suits for damages or by other means any publisher or news-agency from entering into such a contract is to abridge the freedom of the press.

Sixth. If AP (or for that matter, Reuters, UP, INS, New York Times Service, Los Angeles Service, Chicago Daily News Foreign Service, Chicago Tribune Press Service and others) has waxed in size through the excellence of

its service and the imposition of these three reasonable restraints, the size to which AP has grown is not an evil remedial by government. If size alone is unlawful (and I am advised size alone is not unlawful), the size of AP can be limited by a reduction of membership, allowed, I am informed, by the laws of the State of New York; but to invalidate any one or more of the three restraints in the case of AP (or in the case of any other news-agency or syndicate) is to abridge the natural functioning of an integral part of the press, contrary to the guaranty of the First Amendment.

[fol. 1610] *Seventh:* If the said three restraints "create a condition under which like barriers against competitors may be erected by those receiving the news service and the other two general news-agencies" (Motion for Summary Judgment p. 16), the remedy for the violation, if it is a violation, is to enjoin or punish the violator—he who has tied up the three other news-agencies. Of course, there are more than three general news-agencies. To prohibit AP from imposing the three contractual restraints because some publisher may buy up all of them is not unlike forbidding farmers to contract to sell their growing corn because a cornerer may buy all the corn.

Eighth: The government in this motion for summary judgment has not expressly asked this court affirmatively to order AP to furnish its services to Field and Patterson, or to every applicant who (a) is the sole owner of a newspaper, (b) files proof of such ownership and of his field, or (c) signs the membership roll (Motion for Summary Judgment p. 2, par. 4; Complaint, Demand IV, pp. 52-53). Demand IV and Prayer 4 merely request this court to hold null and void all present by-laws of AP which impose eligibility requirements other than (a), (b) and (c),—thus leaving the corporate entity free not to admit anybody or to admit on other conditions not presently incorporated in the by-laws. But whatever the formal demands and prayers may be, the whole tenor and object of this suit is by indirection to force AP to render its service to all applicants conforming to standards deemed reasonable by the government, thus transforming AP from a private enterprise into a public utility or quasi-public utility.

An order by judicial, legislative or administrative department of the government directly or indirectly forcing

AP (or any news-agency, author, writer, compiler, syndicate or gatherer of news and information) to publish its [fol. 1611] information to all indifferently on equal terms would, in my opinion based upon my experience, be a plain violation of the First Amendment.

In the first place the right of AP to remain silent or not to publish its reports to any individual or newspaper is protected by the First Amendment as well as AP's affirmative right to speak or to publish. Forcing one to make utterances to A, B and C when one wishes not to utter to A, B and C is violative of the First Amendment; the violation is all the clearer if one is forced not only to utter to A, B and C but also to utter prescribed and designated material,—namely, that which one has uttered or intends to utter to X, Y and Z. The order here discussed would require AP to publish its material to all applicants (i.e., admit all applicants to membership) and it would also require AP to publish to such applicants the exact material to be published to its members.

In the second place news-agencies are not in any of the historical classes of quasi-public service utilities which are required to serve all indifferently, nor do news-agencies have any of the characteristics of any of such classes.

In the third place, according to the complaint, some method of joint collection and reporting of news is an essential and integral function of the modern newspaper press (Complaint pp. 12 et seq.; paragraphs 44 et seq.). Any interference by any branch of the government which prevents the natural, normal, ordinary and private functioning of such an integral part of the press is in violation of the First Amendment.

In the fourth place, while the government in its present moving papers alleges that there are only "three major" or "three general news-agencies," the government alleges in its complaint "there are in this country today only three news-agencies" (Complaint p. 13, par. 46, first sentence). [fol. 1612] If only AP, UP and INS are to be transformed into quasi-public utilities, then AP, UP and INS are discriminated against in favor of Reuters, New York Times Service and other news-agencies not so transformed. If the Times Service, Chicago Tribune Press Service, Acme and all other news-agencies and syndicates, some of which are mentioned in the Tribune answer (p. 17, par. Twenty-eight),

are to be transformed into quasi-public utilities, then it becomes legally impossible for two, ten or fifty publishers privately to band together, in corporate form or in a joint enterprise, for the joint collection of news. In my opinion transforming any news-agency, large or small, into a quasi-public utility is in violation of the First Amendment.

In the fifth place, an order by this court that AP (or any news-agency or syndicate) must publish its reports without discrimination to all that apply for same necessarily connotes that this court will by proper order prevent discrimination. This seems comparatively simple in the case of AP because it is a mutual association upon the assessment principle. But if a new member should allege that he is being discriminated against, it would be the duty of the court, if such an order be entered, to prevent such discrimination: the court would be required ultimately in proper cases to supervise prior to publication the entire activities of AP. For example, the new member might contend that he is being discriminated against because AP publishes more news matter to morning papers than to his evening paper; that AP discriminates against him because it publishes more news matter to the small town papers in comparison to the news published by AP to his metropolitan newspaper than is compatable with proper management; that he is discriminated against because his metropolitan newspaper pays a greater share of assessments than the newspapers in smaller cities; that AP discriminates against him in publishing to him too many or [fol. 1613] too full news reports, thus unduly increasing his assessments with the motive of making AP's service so expensive that he will be unable to pays his dues. The entry of such an order would inevitably entail supervision by the courts of the entire activities of all news-agencies to which the principle of indiscriminate service applies.

And finally, it is alleged in the complaint that AP's services are vastly superior to the services of other news-agencies; that AP has arbitrarily during the past years refused admission to applicants who would otherwise have become members. Had AP been required during all these years to admit all who applied (i.e. all who conform to criteria (a), (b) and (c) above mentioned), its membership would have been much greater than at present; thus

AP would have been closer to sole occupancy of the news-agency field than at present. Should AP become the sole occupant of the news-agency field, or should it become greatly dominant in that field, it is probable that sooner or later efforts will be made to transform it into a strict public utility required not only to serve all indifferently but also required by government fiat to serve all at reasonable rates and to furnish reasonable service. To subject an integral part of the press to the probability of such regulation is, in my opinion, in violation of the First Amendment.

The First Amendment was intended solely as a protection of the press against governmental encroachments. Lee argues that the First Amendment should be turned into a guaranty that the government will do all things necessary to foster as many newspapers as "publics" (sic) may wish (Lee's affidavit p. 1). Under such specious arguments have dictatorial governments everywhere subjected the press to their control. Under guise of freeing the press they have dominated the press. In my opinion the most dangerous modern threat to free speech and press are those academic [fol. 1614] thinkers who desire the government to control, regulate and regiment the press in order to obviate some imagined or comparatively insignificant evil of the press.

And finally, I am not wholly in accord with those who believe the First Amendment forbids any and all Federal regulation of the press through the commerce power. True, the power over interstate commerce is the most vague and probably the most sweeping of all the delegated powers and therefore the most likely of abuse in abridging the liberties of the people. And it is also true that speech and press can be most surely protected against abridgment by denying to the Federal government any power whatsoever over them in conformity with the expressions of many members of the Constitutional Convention, of those who debated the ratification of the Constitution, and of the exponents of the adoption of the ten amendments. But in my opinion the entry of an order designed to force AP (or any citizen) to "be vocal" when it wishes to remain mute can only be justified when such utterance is "imperatively necessary to protect society as a whole from grave and pressingly imminent dangers;" or " • • • except in so far as essential operations of government may require it for the preservation of an orderly society

* * *"; or unless silence works "clear and present danger" to "our institutions or our government." No such clear and present danger is present here.

(Signed) Robert Rutherford McCormick, Defendant.

Subscribed and sworn to before me this 19th day of June, A. D. 1943. (Signed) Anne Chandler, Notary Public. My commission expires Nov. 7, 1945. (Notarial Seal.)

[fol. 1615] SECOND AFFIDAVIT OF ROBERT RUTHERFORD McCORMICK

STATE OF ILLINOIS,
County of Cook, ss.:

Robert Rutherford McCormick, being first duly sworn deposes and says:

I have made an affidavit which will be filed in this case in answer to the affidavit of Alfred McClung Lee dated May 20, 1943. I refer to my experience therein stated to qualify me to testify on the subjects discussed in this affidavit.

The Association of The Chicago Tribune with AP

The Chicago Tribune was founded in 1847. From its beginning until today, it has been a strong force in the formation and growth of AP and its predecessors. My grandfather, Joseph Medill, one of the founders, and editor and publisher of the Chicago Tribune from 1855 to 1899, was one of the persons chiefly instrumental in the formation of the Western Associated Press about 1855. He was one of the militant leaders of that organization in its long and successful fight against the dominance of the New York Associated Press and later, United Press (not United Press Associations). Throughout this early period, the Chicago Tribune used Associated Press news. It began to do so with the founding of the New York Associated Press in 1848. Also throughout this period the Tribune furnished to New York Associated Press the local news of Chicago and the surrounding territory.

The Chicago Tribune was one of the leading newspapers in Associated Press of Illinois and together with other

stockholders contributed substantial sums of money to that organization to assure it of success in its fight with United [fol. 1616] Press. Upon the organization in 1900 of the present AP under the laws of New York, the Chicago Tribune became a charter member. It has been active in the affairs of the Association since 1900. I was elected a director in 1926 and have continuously served the Association as a director since.

Throughout substantially all of the years of its existence the Chicago Tribune has published in the principal editions of its newspaper only AP news reports.

The Chicago Tribune within a few years after its organization, absorbed some small and unimportant newspapers. It has not since the Civil War, however, absorbed or in any manner acquired any other newspaper pr any other newspaper's assets. During that period at least 23 Chicago newspapers have ceased publication, many of which published in the morning field. Eleven of these newspapers ceased publication after 1900 and of them, eight were members of the Associated Press. Attached hereto as Exhibit 1 is a copy of a chart which I have had prepared, and which I believe to be correct, which graphically portrays the history of most of the newspapers which have been published in the city of Chicago. Also attached as Exhibit 2 is a statement of the circulations of these Chicago newspapers (and five more which do not appear on exhibit 1) year by year so far as we have been able to obtain such information.

Since 1900 the Chicago Tribune has furnished to AP all the news originating in Chicago and in the territory immediately surrounding Chicago whether such news was of spontaneous origin or not. Since 1900, the Tribune has paid to AP assessments aggregating approximately $1,735,000.00. This sum was substantially in excess of the Tribune's proportion of the cost of gathering and distributing AP's news.

[fol. 1617] The Reasons for the Opposition of the Chicago Tribune to the Application of Marshall Field

In my opinion AP's news service is superior to the news service furnished by UP or INS. It is not, however, much superior to the service furnished by UP. Each of these agencies claims its news service to be superior to the serv-

ice of its competitors. Many publishers prefer UP to AP and I know that UP is adequate for the successful publication of a newspaper and for the information of the public. I am certain that the same is true of the news service of INS but I am not so familiar with that service.

The Chicago Tribune uses of the three services only AP news reports because they are sufficient. In fact, the coverage of any one of these agencies has become so extensive that the use of one imposes upon the editorial staff a tremendous burden of news selection. For example, in October, 1942, a representative month, AP furnished to the Chicago Tribune approximately 5,800,000 words of which the Tribune used only 825,000 or 14%. Use of an additional service would make the problem of selection a tremendous burden with little, if any, compensation in additional news coverage. The Chicago Tribune uses Associated Press news because it has used such news almost exclusively throughout its entire existence.

The news services of these three agencies are of considerable value to many newspapers but they are not indispensable. In my judgment the New York Times News Service, the New York Herald Tribune News Service, the Chicago Tribune Press Service, and others, alone or in combination could be expanded without serious difficulty and without much delay to give comprehensive news coverage. Chicago Tribune Press Service was organized during the first world war in connection with the Paris edition of the Chicago Tribune. Since that time I have given a [fol. 1618] great deal of attention to it, and before the present war it had correspondents at all places in Europe thought to be important. Its foreign service has grown rapidly and serves many newspapers. In my judgment Chicago Tribune Press Service is more valuable to the Tribune for foreign news coverage than AP. It has not made any effort to cover all domestic spot news but it furnishes spot news, both foreign and local, as part of its daily report and it is so organized that it can be quickly enlarged to furnish all spot news. No effort has been made to sell Chicago Tribune Press Service to a great number of newspapers. Instead the service has preferred to have as subscribers the leading newspapers published in strategic locations so that the service could, if necessary, obtain comprehensive domestic news coverage.

I opposed the election of Marshall Field to membership because I did not believe that Marshall Field was entitled to share in the Chicago Tribune's exclusive right to AP news service in the morning field in Chicago. The Tribune had contributed to AP since 1900 in excess of $1,700,000. It had furnished to AP throughout the 42 years of its existence all of the news of its district and it had furnished to AP's predecessors such news for many years prior to 1900. It had, through use of Associated Press news stories over a period of approximately 80 years, created substantially all of the reader acceptance which exists for AP news in the morning field in Chicago. Throughout those years the Chicago Tribune spent large sums of money in advertising and promotion and although other newspapers, publishing in the Chicago morning field, from time to time used AP news, none of such newspapers attained the circulation of the Chicago Tribune and all of them have ceased publication. Any values inherent in the exclusive right to AP news in that field are principally a result of [fol. 1619] the Chicago Tribune's efforts; they are the Tribune's property and it has no desire to relinquish any part of them.

Any person starting publication of a newspaper would of course be very happy to have the privilege of sharing in the use of all the assets of his competitor. The establishment of his newspaper would be infinitely easier if he could share in the use of the features, cartoons, comics, maps, etc., which the competitor has expended great sums to develop for his own exclusive use. No person would make any such demand and no competitor would comply with any such request, if made. The situation with respect to news is not different in any respect and the Tribune is no more willing to share with Marshall Field its exclusive use of AP news than it is willing to share with him the exclusive use of its other contents or assets.

There are of course additional reasons in this particular case for the opposition of the Chicago Tribune to the election of Marshall Field. These reasons are set forth in my answer to the plaintiff's Interrogatory No. 6, page 21 et seq.

A committee of the membership of AP and the Board of Directors recommended to the membership and the membership adopted amendments to the by-laws of AP under

which the requirements for membership in a field wherein existing members were publishing newspapers were (a) a majority vote of the members voting on the application; (b) payment by the applicant for the benefit of the existing members in the field a sum equal to 10% of the total regular assessments paid to AP by members of such field, and (c) relinquishment by the applicant of any exclusive right which he had to news or photo services. I voted at the members' meeting in favor of the adoption of these amendments.

If under these by-laws a majority of the members of AP voted to elect Field to membership, it is certainly equitable [fol. 1620] and reasonable that he should pay to the Chicago Tribune a sum sufficient to compensate the Tribune for the loss of exclusive AP news service. The Tribune would be required upon such election to take some steps to compensate it for its loss. It might subscribe to UP which the Chicago Sun now has under a long term contract; it might expand Chicago Tribune Press Service in a continued effort for exclusiveness. In any event the Chicago Tribune would spend substantial sums upon Field's election and the amount which it would receive from Field, approximately $193,000.00, is in my opinion insufficient for this purpose.

The Effect of Granting the Demands of the Government:

I have shown in my other affidavit that the object of the government in this suit is to transform AP into a quasi-public service corporation which must render its service without discrimination to every applicant who (a) is the sole owner of a newspaper, (b) files proof of such ownership and of his field, and (c) signs the membership roll. In my opinion the immediate effect of a decree granting such relief would be to increase AP's membership substantially and thus bring it close to sole occupancy of the news agency field. It would certainly result in prompt expansion of the membership of AP. The permanent effect of such a decree, however, would depend upon the extent to which the decree would operate on all news agencies, large or small. If the principles of the decree would require all agencies regardless of size to serve all applicants, then it is my opinion that the immediate effect I have mentioned would become permanent. If, however, such principles would require only large news agencies to serve all, then it is my

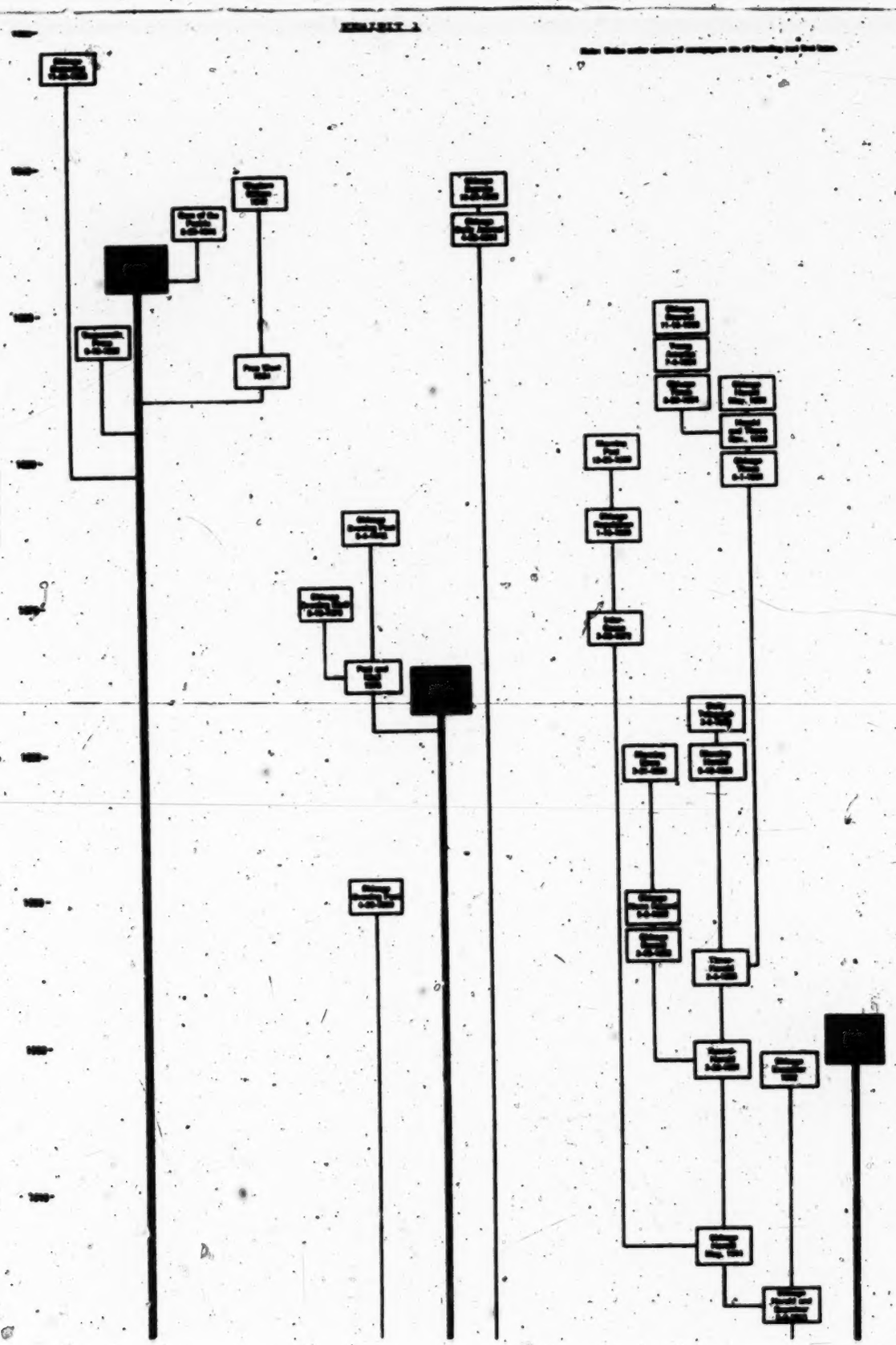
opinion that the permanent effect of such a decree would be the end of AP as an important news agency. For example, if the effect of the decree is that a news agency which has 750 or more members or subscribers must serve all [fol. 1621] applicants but that a news agency which has not more than 100 members or subscribers may serve only such newspapers as it desires, then it is my opinion that most of the members of AP in their search for exclusiveness would form such smaller news agencies; gather for themselves the important news, and leave for AP's coverage, if it continued to exist at all, only the ordinary handout type of news.

(Signed) Robert R. McCormick.

Subscribed and sworn to before me this 19th day of June, A. D. 1943. (Signed) Anne Chandler, Notary Public. (Notarial Seal.)

(Here follow 2 photolithographs, side folios 1622-1623)





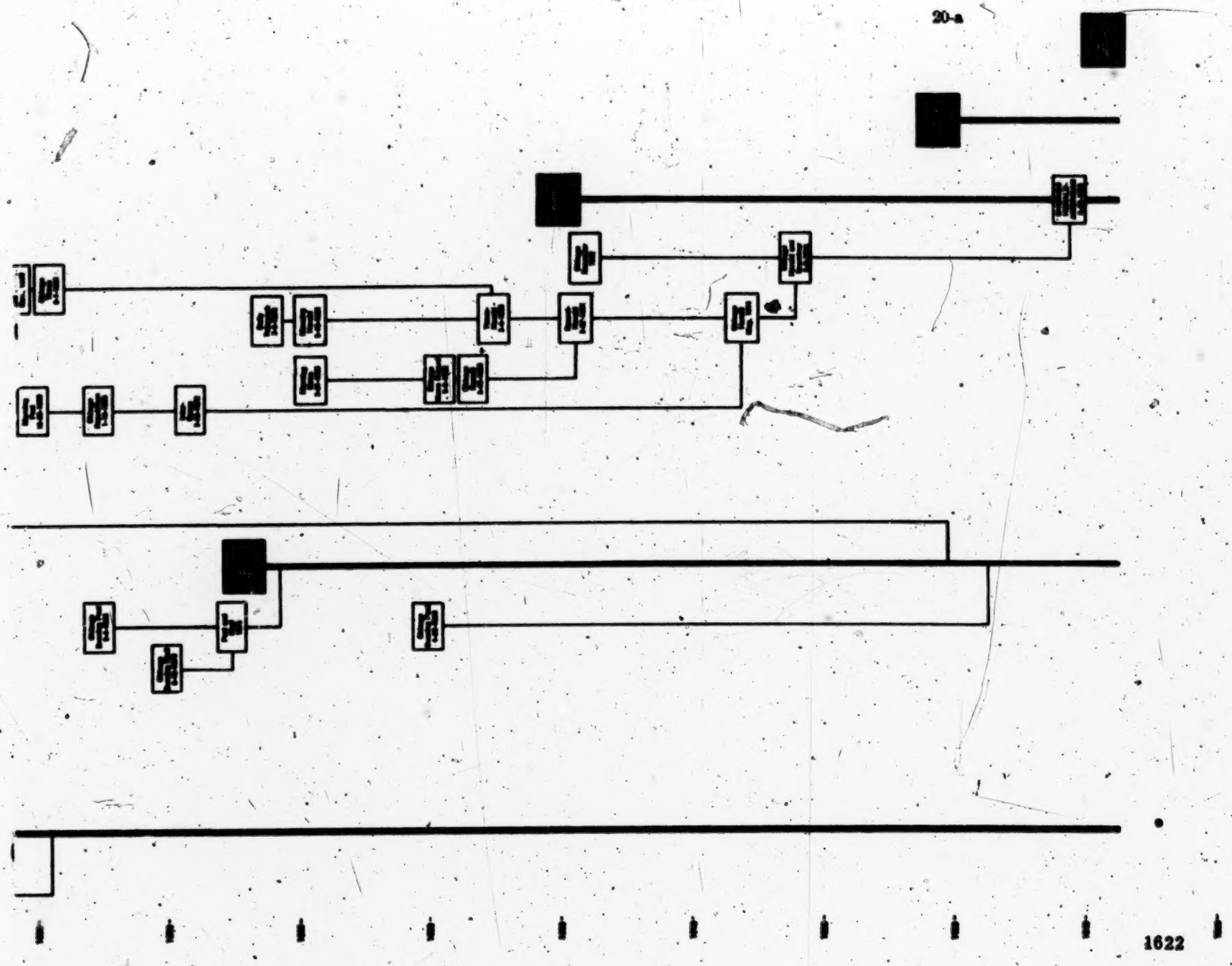
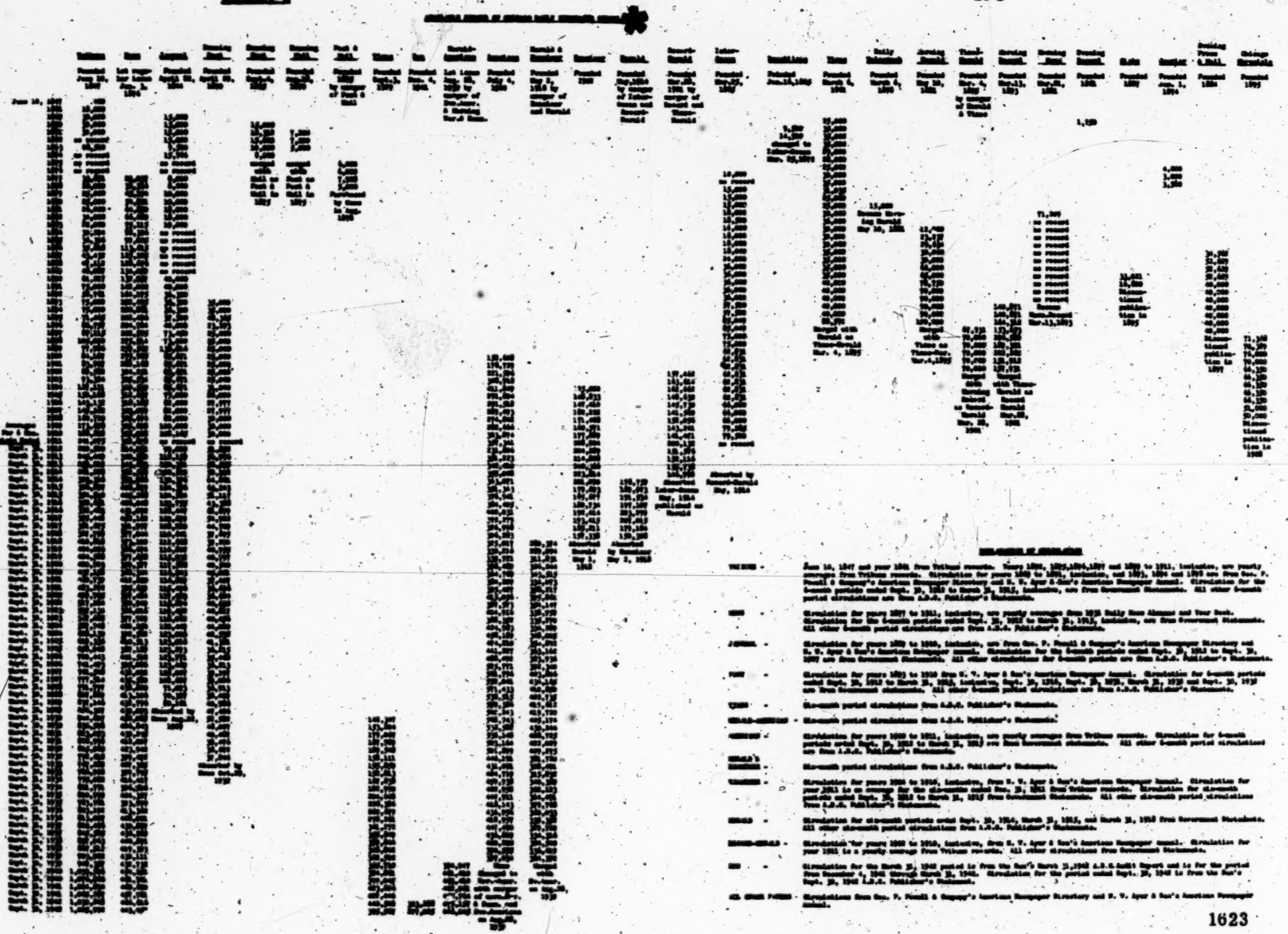

20-a
1622

EXHIBIT 2

20-b



1623

[fol. 1624] AFFIDAVIT OF S. EMORY THOMASON

STATE OF ILLINOIS,
County of Cook, ss:

S. Emory Thomason, being first duly sworn deposes and says:

1. I am now and have been since 1929, publisher of the Chicago Daily Illustrated Times, a newspaper published daily in Chicago, Illinois, which newspaper is now and has been since it was founded in 1929 a member of The Associated Press in the evening field. I am also now and have been since 1927 the publisher of the Tampa Tribune, a daily newspaper published in Tampa, Florida, which newspaper is now and has been for more than 40 years a member of The Associated Press in the morning field. The Tampa Tribune has also subscribed to and used United Press Associations' service for the past eight years.

2. At the meeting of the members of The Associated Press held on April 21, 1941, I made a motion that the president of the association appoint a representative committee of members to present to the next annual meeting of members such amendments or revisions of the by-laws of The Associated Press as in the judgment of the committee should be necessary and desirable. In making this motion I had in mind liberalization of the by-laws of The Associated Press governing the admission of new members. The motion was unanimously adopted by the membership. Pursuant to the resolution, the president appointed the following persons as members of the committee, including myself:

John S. Knight, Chairman, Detroit Free Press.
S. E. Thomason, Tampa (Florida) Tribune.
Chas. P. Manship, Baton Rouge (Louisiana) State Times.
[fol. 1625] Howard C. Rice, Brattleboro (Vermont) Reformer.
Frank E. Gannett, Rochester (New York) Times-Union.
Oscar Stauffer, Arkansas City (Kansas) Traveler,
Norman Chandler, Los Angeles (California) Times.
Arthur Hays Sulzberger, New York Times.
Curtis B. Johnson, Charlotte (North Carolina). Observer.

This committee will be hereinafter referred to as the "By-Laws Committee."

I did not know at the time I proposed the resolution and was appointed a member of the By-Laws Committee, nor (so far as I know) did any other member of such committee then know, that the Washington Times-Herald or the Chicago Sun intended to apply for membership in The Associated Press, or that the Department of Justice of The United States considered any of the by-laws of The Associated Press to be unlawful.

3. The By-Laws Committee met in New York City on May 23, June 26, and September 29 and 30, 1941. I attended all of the meetings of the Committee. The committee members at these meetings considered in detail, among other things, the requirements of the then existing by-laws for the admission of new members, particularly in the Sunday field, and various possible revisions thereof. At the conclusion of the meetings of September 29 and 30, the Committee decided unanimously that the by-laws should be amended so as to provide the following requirements:

> (a) Applications for membership in fields wherein a member or members of The Associated Press published newspapers should be granted upon the vote of a majority of the membership present in person or by proxy at any annual or special meeting called for such purpose.
>
> [fol. 1626] (b) In such fields the applicant for membership should pay for the benefit of the member or members publishing newspapers therein a sum of money equal to the value of an AP membership in such field.
>
> (c) The value of such membership should be determined by a standard and uniformly-applied method, based upon the amount of the assessments theretofore paid in the field, together with such other criteria of value as should be applicable in each case.

Neither I nor (so far as I know) any member of the By-Laws Committee knew during the discussions prior to the time of reaching these conclusions that the Washington Times-Herald or the Chicago Sun had decided to apply for membership in The Associated Press or that the Depart-

ment of Justice had determined that any of the by-laws were unlawful.

4. I voted in the By-Laws Committee meetings for a recommendation that applications for membership be granted upon a majority vote for the following reasons which were discussed at such meetings:

The then existing requirement of a four-fifths vote of the membership had resulted in the past and might in the future in delaying admission to membership of newspapers otherwise qualified, admission of which would operate to the advantage of The Associated Press and the applicant. The reduction of the vote necessary to elect to a majority could reasonably be expected to result in most instances in the election of such applicants. It would continue in the membership the right to determine their future associates (a right which all members have insisted upon retaining throughout the whole history of The Associated Press), prevent the election of undesirable applicants, and be consistent with cooperative practice and procedure. In addition, I knew from correspondence and interviews that the members of The Associated Press, and particularly those [fol. 1627] representing newspapers in smaller communities, would not approve any amendment to the by-laws which deprived them of the right to vote upon the application of anyone publishing or desiring to publish a newspaper in the fields in which they had assisted in building The Associated Press's prestige values.

The then existing requirement of a four-fifths vote had in my own opinion, frequently expressed, contributed substantially in the past to a decline in Associated Press membership values. Newspapers had resorted to the use of other adequate services for their news reports. This had resulted in building the revenues of competitive services, making them more efficient, and lowering the value of memberships in The Associated Press.

From the statements made by the members of the Committee, I believe that they voted for this recommendation for the same reasons as I did.

5. I voted in the By-Laws Committee meeting for a recommendation that the applicant be required to pay, for the benefit of the member or members in the field, a sum of money equal to the value of an Associated Press member-

ship in such field, because of my firm conviction that in all instances such values had in the main been built by the members themselves. In our meetings we discussed the fact that the members had in each field, through the presentation of Associated Press news in their respective localities, promoted public acceptance therein of such news and brought credit for accuracy and truth to the words "The Associated Press." Members in each field were responsible for the tangible assets of The Associated Press, through the payment of assessments exceeding an amount sufficient to defray the expense of collecting and disseminating news, and for the intangible assets by the furnishing of news collected at their own expense and upon their established responsibility. We discussed further the [fol. 1628] fact that the granting of each such application would inflict upon the existing member or members in the field a clear and real impairment of property rights (which they had either built or, in many instances bought and paid for), by depriving them of wholly exclusive or partially exclusive Associated Press service.

I believe from the statements made by the members of the Committee during discussions that they voted for this recommendation for the same reasons as I did.

6. The By-Laws Committee, at its meetings in June and September, 1941, considered various suggested measures for determining the value of a membership in The Associated Press in different fields and localities. The Committee concluded that the following elements should be given consideration in determining such values, together with any other facts which would be pertinent with respect to the field from which the application arose:

(a) The then present value of the savings which the applicant would realize as a result of obtaining Associated Press service substantially at cost. The Committee knew that newspapers in most localities could not obtain services comparable to Associated Press service at a cost as low as Associated Press assessments. The Committee, therefore, believed that the difference in cost and value of other services and of Associated Press assessments was one measure of the price to be established for an Associated Press membership.

(b) The then present cost of the expense to an existing member or members in taking steps to offset the injury sustained by his loss of wholly or partially exclusive Associated Press Service. The Committee knew that the value of any news to a newspaper including the value of Associated Press service had always depended primarily upon its exclusivity, its timeliness speed in its reception, and publication. The Committee knew that the granting of Associated Press Member- [fol. 1629] ship to a competitor of a member therefore subjected such member to a clear and substantial injury in the publication of its newspaper. The Committee further knew that in many instances the existing member or members in such field might thereby be required to expend substantial sums of money over a period of years in subscribing to a competitive news service or in taking other steps to offset such injury. The Committee therefore believed that the then present value of such foreseeable expenditures would be a measure of the value of an Associated Press membership.

(c) The interest acquired by the applicant in the tangible and intangible assets of The Associated Press. The General Manager informed the Committee that such values, tangible and intangible, had for the most part resulted from assessments made upon the members from the beginning of The Associated Press which exceeded an amount necessary to defray the cost of collecting and disseminating Associated Press news. The Committee therefore concluded that the value of such assets as they existed at the time of each valuation should be given consideration.

The By-Laws Committee believed that a formula should be devised for the determination of the sum to be paid by the applicant which would substantially reflect the elements of value suggested, but which would be automatic in operation. The Committee was of the opinion that the determination of an accurate value in each case, even by an independent appraiser, would require much time and inherently be the subject of controversy between the parties interested. Thus the whole purpose of liberalizing the by-laws would be defeated. Various formulae were suggested

and discussed but none was then discovered by the Committee.

7. The Chairman of the By-Laws Committee at the meeting of September 30, 1941, appointed a subcommittee [fol. 1630] to prepare a written draft of the recommendations agreed upon and above set forth. The personnel of such subcommittee as nearly as I can recall was John S. Knight, Arthur H. Sulzberger, and myself. I have attempted to verify the personnel of this subcommittee with Mr. John S. Knight but learn that he is out of the United States at this time. The subcommittee met on December 9, 10, and 11, 1941, and prepared such draft, including the foregoing recommendations which were submitted to the full By-Laws Committee on December 18, 1941. The By-Laws Committee at such meeting unanimously approved such draft with minor changes.

8. The subcommittee of the By-Laws Committee submitted the proposed amendments to a Committee of the Board of Directors and to the management of The Associated Press at meetings held on January 5 and 6, 1942. On or about February 3, 1942, the By-Laws Committee adopted and sent to the membership its report, recommending the changes set forth in paragraph 3 above.

9. At the annual meeting of the members of The Associated Press held April 20, 21, and 22, 1942, the report of the By-Laws Committee was presented. The Board of Directors also presented to the membership its recommendations suggesting revisions in the by-laws governing the admission of new members. The Board recommended among other things that the sums to be paid by the applicant for the benefit of members in the field should be determined by the formula of 10% of the total assessments paid by members in such field. A conference committee, consisting of directors Paul Bellamy and John Cowles, and of members of our committee John S. Knight, Arthur Sulzberger and myself, was appointed to consider, and if necessary harmonize, the differences between the two reports in this respect.

[fol. 1631] The Conference Committee weighed the soundness of the formula proposed by the Board in the light of the elements of valuation which the By-Laws Committee believed should be considered. In our By-Laws Committee

meetings with the Board's Committee (in Paragraph 8 referred to) we had discussed the values of Associated Press memberships in Chicago and Washington with respect to the pendency of the applications for membership of Marshall Field for the Chicago Sun, and Mrs. Eleanor Patterson for the Washington Times-Herald. We had discussed sums which the Chicago Sun might be required to pay for services other than The Associated Press, the Associated Press assessments in the morning field in Chicago, and the elements of savings for the Sun if it were admitted to membership. We had discussed and considered the damage which the Chicago Tribune would suffer from the loss of exclusive Associated Press service, and the value of, and the interest which Marshall Field would acquire in the tangible and intangible assets of The Associated Press.

Upon the Conference Committee meeting, therefore, we were all familiar with these considerations, and basing our conclusions upon them we came to the conclusion that 10% of the total regular annual assessments paid in the Chicago morning field would be less that the value of a membership in that field. Similarly we had discussed the considerations affecting values of memberships in Washington, New York, Cleveland, Baltimore, and other cities. It was stated that the Board of Directors were advised that the 10% formula had a reasonable relationship to the net worth of The Associated Press, including both tangible and intangible assets. We therefore concluded that the formula recommended by the Board of Directors would operate as a fair, equitable, and automatic method of valuation. Therefore, as conferees from the By-Laws Committee, we concurred in the recommendation of the Board; and the amend [fol. 1632] ments suggested by our By-Laws Committee, modified to incorporate such formula, were adopted by vote of the members.

10. Prior to the appointment of the Conference Committee, a member representing a small newspaper which had for many years been a member of The Associated Press pointed out to the membership that because his assessments had been small, the sum which he would receive under the formula proposed by the Board would be grossly inadequate to compensate him for the loss of exclusive Associated Press service. The Conference Committee believed that in situations such as his, and in such situa-

tions only, the member in the field should receive at least three times the current annual regular assessments to compensate him for such loss. With this in mind the Conference Committee added to the formula recommended by the Board the clause: "Provided, however, that such payment shall in no case be less than three times the current annual regular assessments." The Conference Committee, having no opportunity for thorough consideration of the subject, assumed that such additional clause would apply in only a few situations, such as that mentioned by the smaller member. The Committee did not at the time realize that the clause would be applicable in every situation, and would in effect nullify the 10% formula recommended by the Board. When this fact was brought to the attention of the membership, the members voted to eliminate the clause providing for the payment to be "three times the current annual regular assessments."

(Signed) S. Emory Thomason.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Signed) Harriett L. Fleming, Notary Public. (Notarial Seal.)

[fol. 1633] AFFIDAVIT OF WILLIAM DONALD MAXWELL

STATE OF ILLINOIS,
County of Cook, ss:

William Donald Maxwell, being first duly sworn, deposes and says:

I am assistant managing editor and city editor of the Chicago Tribune. I have been city editor of the same newspaper since January, 1939, and have been engaged in newspaper work since 1916, as set forth in the deposition which I gave on May 4, 1943.

I have read the affidavits heretofore filed in this case by Thomas J. Barry, night city editor, Ernest Von Hartz, foreign news editor, and Thomas A. Daffron, telegraph editor, all of the Chicago Sun.

The Affidavit of Thomas J. Barry

Since receiving a copy of the affidavit of Thomas J. Barry I have had made a survey of the affiliations of the corre-

spondents of the Chicago Sun in a number of the principal cities in the states of Illinois, Indiana, Michigan, and Wisconsin. The results of this survey are as follows:

(1) State	(2) Number of cities covered by survey	(3) Number of such cities in which Chicago Sun has correspondents who are employees of AP newspapers	(4) Number of such cities in which Sun has correspondents who are employees exclusively of UP newspaper and radio stations
Illinois	21	10	5
Indiana	14	7	4
Michigan	14	8	2
Wisconsin	15	7	3

[fol. 1634] In some of the cities unaccounted for in columns 3 and 4, the Chicago Sun had other correspondents and in some the survey showed the Sun had no correspondents. In some of the last named group, such as Springfield, Illinois, UP maintains a news bureau which may account for the absence of Chicago Sun correspondents therein. I have not had time since receiving the affidavit of Thomas J. Barry to survey the smaller cities and towns.

The Chicago Tribune does not rely solely upon AP for reports of news events happening within the states mentioned and within other states thereto adjoining. The Tribune relies for much of such news through coverage by telephone from the Tribune's office in Chicago and upon its own correspondents located throughout such territory. The Sun, according to the Barry affidavit, had 300 correspondents in this territory. The Tribune in the year 1942 employed 537 correspondents within such territory. The Tribune has for many years employed approximately the same number of correspondents. I know that few, if any, metropolitan newspapers rely solely upon a news agency to obtain for them the news of the region wherein the newspaper is published. They rely for such news upon telephone coverage with news sources and their correspondents.

In excess of 90% of the Tribune's correspondents located within such territory and elsewhere are employees of evening newspapers. The news events for which the Tribune relies upon such correspondents are in the main those events which have happened prior to the printing of the early editions of the Tribune. Employees of evening newspapers are in a better position to cover such events

since the employees of the morning newspapers have not at such time started work. Further, the total number of morning newspapers in the Tribune's territory is so small [fol. 1635] that use of their employees alone could not give the coverage required.

The Affidavit of Ernest von Hartz

Mr. von Hartz on page 2 of his affidavit states that in order to furnish a thoroughly comprehensive foreign news service a metropolitan newspaper should have access to the foreign news report of both AP and UP. In my opinion, this conclusion is erroneous. I have handled the news reports of both AP and UP for the Chicago Tribune. In my judgment the foreign news service of either UP or AP is sufficiently comprehensive for any newspaper and for the presentation of a complete and adequate news report to the newspaper reader.

With respect to the eight exclusive AP stories which appeared in the Chicago Tribune listed on pages 3 and 4 of the von Hartz affidavit, it is sufficient to point out that UP furnished to the Sun exclusive stories written by UP writers covering substantially the same news events. That the Chicago Sun considered its foreign news coverage to be complete and outstanding is shown by statements appearing in the Sun, copies of which are hereto attached as Exhibit 1.

The Affidavit of Thomas A. Daffron

The Daffron affidavit lists 20 stories which appeared in the Chicago Tribune between October 30, 1942, and March 25, 1943, as to which the affidavit states "UP did not furnish the story to The Chicago Sun, or else did not furnish a story until after news of the event had been published in the Chicago Tribune." I have examined the final edition of the Chicago Sun for this period and I find that most of these stories did appear in the Sun. I am, of course, unable to say at what time the Chicago Sun [fol. 1636] received such stories from UP. Where the story did not appear in the Chicago Sun I am also unable to determine whether it was or was not furnished by UP to the Sun. The following is a brief statement concerning each of the stories referred to in the Daffron affidavit:

October 30, 1942: The Chicago Tribune story of the Arkansas tornado was one of 25 lines of type. The cor-

responding story in the Chicago Sun appeared on the first page at the top of column 5 and was a story of 45 lines, nearly twice the size of the story in the Chicago Tribune.

November 19, 1942: This was a 9-line story of a plane crash which the Chicago Tribune carried on page 4. It appeared in the Chicago Sun on page 16 in the upper half of the third column and was a 13-line story.

November 21, 1942: This story of another plane crash appeared on the second page of the Chicago Tribune in the middle of column 2. In the Chicago Sun the corresponding story appeared on page 5 at the top of column 8. It was a 17-line story in the Sun and was larger than the story in the Tribune with the exception that the Tribune listed the names of six victims together with their home addresses, but none of these victims had an address within the territory of either the Chicago Sun or the Chicago Tribune.

November 18, 1942: This was a short story of a bomber crash, one of the many crash stories then current in the newspapers. The story appeared on the third page of the Tribune in column 3, in the middle of the page.

November 11, 1942: This story of the lack of money in the state capital of Missouri, to buy food for asylum inmates appeared on the 19th page of the Tribune. It was half a column in length and was published principally for the Tribune's readers in Missouri and adjacent territory where the Sun has very few readers.

[fol. 1637] December 14, 1942: This was a story of a Newfoundland fire which could be called an important story. It appeared in the Chicago Sun on the first page in columns 2 and 3 and was continued on page 4. The Sun story was about one column in length. It was at least of equal size with the Tribune story, if not longer.

November 30, 1942: This was a story of the Boston fire and was a very important story. It was carried in the Chicago Sun on the first page in columns 7 and 8 and on the third page in columns 1, 2, 3, 4, 5, 6 and 7. On page 24 in columns 5, 6, 7 and 8 there appeared a list of the identified dead, this being a list of 279 names. The final page of the Chicago Sun was given over entirely to pictures

of the Boston fire, there being eight pictures in all reproduced on this page. The Chicago Tribune found it necessary to obtain a large part of its news material from its correspondent in Boston.

January 7, 1943: This was a 16-line story in the Chicago Tribune. It was another airplane-crash story and appeared on page 5 in the lower half of the page in column 2. A corresponding story appeared in the Chicago Sun on the second page at the bottom of the second column. The only importance of the story was the fact that a Chicagoan was killed and this was adequately covered by the Chicago Sun story.

January 8, 1943: The story about the Philadelphia fuel shortage was a 12-line story in the Chicago Tribune which appeared at the bottom of the fifth column on the first page. It did not appear in the Chicago Sun. Although this appeared on the first page of the Tribune it could not be stated that this was a very important story for a Chicago paper and if the Chicago Sun had thought the story of importance it could have queried UP after the story appeared in the early edition of the Chicago Tribune. It [fol. 1638] evidently did not think the story important enough to do that.

January 8, 1943: This was another story of an airplane crash which appeared on the 6th page of the Chicago Tribune in the lower half of column 1. The story consisted mostly of a list of names, only one of which was of a resident of the Chicago area. The Chicago Sun story appeared on the first page in the lower half of column 3. The Chicago Tribune story was one of 39 lines whereas the Chicago Sun story was one of 28 lines, but the Chicago Sun story carried the information about the death of the resident of the Chicago territory.

January 14, 1943: This was a story about a robbery which took place in Rhode Island. In the Chicago Tribune it was a 14-line story. It was a story of decidedly little importance.

January 25, 1943: This was another story of a bomber crash. In the Chicago Tribune it was a story of 19 lines and appeared on the 15th page. In the Chicago Sun the

corresponding story was a story of 43 lines and appeared on the 4th page.

January 25, 1943: This story was an interview with Vice President Henry A. Wallace. It appeared on the 8th page of the Chicago Tribune.

January 29, 1943: This story was based on a statement by the Secretary of War which gave the total number of casualties in Tunisia. It was either given out in a press conference or as a result of an interview. It is the type of story which should have been obtained by the Chicago Sun's Washington Bureau. It did not appear in the Chicago Sun. It appeared on page 2 of the Chicago Tribune and was a story of 27 lines.

[Vol. 1639] February 12, 1943: This was a story about an opinion given by the state circuit court of Florida. Since it was a court opinion it was available to all news agencies.

February 25, 1943: This is a story emanating from Washington which could have been obtained without difficulty by the Chicago Sun's Washington Bureau. The story did not appear in the Chicago Sun.

February 26, 1943: This is another story emanating from Washington. It was based on testimony given by the assistant chief of staff of the United States army before a senate appropriations sub-committee. It is the sort of story which could have been obtained by the Washington Bureau of the Chicago Sun and could have been supplied by the United Press if the Chicago Sun had requested that United Press cover the story.

March 23, 1943: This was a crime story originating in New Orleans. The Chicago Tribune used the story on the lower half of the first column on page 13.

March 24, 1943: This story about the death of Edward W. Beatty was a brief obituary.

March 25, 1943: This is a 26-line story of an event occurring in Pittston, Pa. Whether this story was carried on the United Press wire or not, I have no means of knowing, but United Press has the reputation of being stronger on news from this territory than Associated Press.

I attach hereto as Exhibit 2, statements which have appeared in The Chicago Sun on the dates indicated regarding Sun coverage of domestic, regional and local news.

(Signed) William Donald Maxwell.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Signed) Otto F. Meyers, Notary Public.

[fol. 1640] EXHIBIT 1

Statements Appearing in the Chicago Sun Regarding Foreign News Coverage

December 20, 1941.

"The Sun has its own correspondents with the armed forces of the United States * * * getting on-the-spot news * * * reporting the war from the actual combat area * * * on this staff are: H. R. Knickerbocker, world-famous correspondent, Edward Angly, expert on the Orient, and Harry Lang, ace reporter from the West Coast. In addition to our own reporters, The Sun has the great resources of the United Press at its command * * * plus the wire service of the New York Herald-Tribune. Sun readers are truly afforded the best in War news coverage."

January 1, 1942.

"Headed by H. R. Knickerbocker, Pulitzer Prize winner and famous war correspondent, Chicago Sun staff correspondents are giving this newspaper's readers a *complete* and *accurate* picture of the war in the Pacific.

"In addition to Mr. Knickerbocker, chief of the Sun's Foreign Service, Staff Correspondents Edward Angly and Harry Lang are sending exclusive eyewitness accounts of damage wrought by Japanese attacks.

"Wherever there is action in the Pacific, Chicago Sun readers can count on receiving the latest news first. * * *"

January 10, 1942.

"Complete News Coverage.

"Accurate, complete War News * * * The Sun's own Foreign Staff * * * United Press Service * * * Herald-Tribune Wire Service * * * plus everyday excellence in local and national news reporting. * * *"

[fol. 1641] January 10, 1942.

Ace Reporter Covers His Fifth War Front

"Stories on Nazis Won Pulitzer Prize.

"Hubert Renfro Knickerbocker—better known in the tight fraternity of American foreign correspondents who roam the world for their news or just plain 'Knick'—is covering his fifth major war front, this time for the Chicago Sun's vast legion of readers.

"'Knick' has just crossed the Pacific with a Task Force of the United States Navy which has reinforced the United States naval forces in the Far East.

"'He arrived in New Zealand on a destroyer after a 6,217 mile trip across the Pacific from San Diego, Calif. He went to Honolulu on an Army transport, then shifted to an airplane carrier. This carried him to a point in the ocean north of Samoa, where he was transferred by breeches buoy to the destroyer on which he finished the trip.

"Knickerbocker has been a foreign correspondent for 21 of his 43 years. He has covered the capitals of the world: Berlin, Paris, Rome, Moscow, London, Tokyo, Shanghai. He covered the Abyssinian war in 1935-36, the Spanish Civil war in 1936-37, the war in China and both the 'sitzkrieg' and the 'blitzkrieg' stages of World War II. Now he is with the American naval forces as they maneuver to strike at the Japanese naval and air armadas in the South Pacific.

Won 'Accolade' from Goebbels

"The slight, red-haired correspondent has earned the choice accolade of being singled out by the angry Nazi Propaganda Minister for the title of 'The Number One International Journalistic well poisoner!' That's Dr. Goebbels way of smearing an American correspondent who has dared to expose the sinister

and shameful aspects of Nazi Germany, which Goebbels has tried to cover up.

[fol. 1642] "The Russians also complimented 'Knick' by barring him from the U. S. S. R. for his stories while a correspondent in Moscow.

"But what the American newspaper profession thinks of this impetuous Texan was disclosed when 'Knick' was awarded the Pulitzer Prize for his foreign correspondence from Germany in 1930.

Worked While a Student

"'Knick' was born in Yoakum, Texas, on Jan. 31, 1893. He entered the newspaper field, joining the Newark Ledger in 1920. In the following years, he lived in Germany, working as a correspondent for the New York Post and the Philadelphia Public Ledger, while studying at the universities of Munich, Vienna and Berlin.

"In 1925 and 1927, he was a correspondent in Moscow, returning to Berlin after being expelled from the Soviet Union. In the turbulent last days of the German Republic he saw the rise of Adolph Hitler and the Nazi Party. Shortly after Hitler came to power, Dr. Goebbels ousted 'Knick.'

"The correspondent's revenge came later. After the start of this war 'Knick' obtained the exclusive story about the secret bank deposits of the leading Nazis, cached abroad against the day when they might have to flee from Berlin. For that story, the Texan earned his title as 'Well Poisoner No. 1.'"

February 11, 1942.

"In a broadcast over 40 stations of the NBC network to a radio audience estimated at more than eight million, H. V. Kaltenborn, distinguished news commentator, last night said:

"'American naval forces have arrived at New Zealand to take over the left flank of the far-flung naval defense of the two richest, largest and strategically most important islands of the Dutch East Indies—[fol. 1643] Java and Sumatra. Their other task, less immediate but just as important, is to keep the Japa-

nese out of the Australian Continent and out of New Zealand."

"The story of the arrival of American warships in the Antipodes is told in graphic detail by H. R. Knickerbocker in today's (Tuesday's) issue of Chicago's excellent new morning newspaper, The Chicago Sun. As an old newspaper man I am mighty jealous of the use of the name of what was for many years America's best morning newspaper, (the old New York Sun), but The Chicago Sun carries it with distinction.

"This is the first story which my former European colleague has been allowed to file on his fascinating journey by aircraft carrier and destroyer across wartime ocean lanes where enemy attack might come at any moment by surface warships, high flying bombers or lurking submarines.

"Knickerbocker reports the establishment of an unbroken string of American naval and air bases which will become the life-line of American help to the Far East. * * * And today the correspondent of the Chicago Sun reports the regular passage of convoys and their escort vessels across the vast spaces of the Pacific and so far as we know, the considerable number of planes, troops and supplies that have reached the Far East have made the journey without the loss of a single vessel in convoy."

February 21, 1942.

General MacArthur and the Great Philippine Adventure

"Here's an inside story of the most dramatic adventure of an age; the Fight for the Philippines and the events that led up to it * * * tracing Douglas MacArthur's colorful career from his arrival at the Philippine Islands in 1935 to train a native army, straight down through the years to his present gallant fight to preserve the Islands for the forces of democracy.

[fol. 1644] "It's a tremendous story spotlighting one of our finest soldiers * * * his attempt to build a trained fighting force out of a batch of raw native troops * * * how well he succeeded * * * and a look behind the scene of his history making stand at Bataan

against a yellow horde outnumbering him, probably, five or six to one.

"Written by a personal friend of the General, seven stirring articles bring to you the most dynamic personality and dramatic adventure of an age. * * * "

February 22, 1942.

"Knickerbocker Telephones: I'm Last Writer in Batavia.

"H. R. Knickerbocker, chief of the Chicago Sun's foreign staff, is the last correspondent remaining in Batavia, capital of Java.

"While censors listened in from at least two points, Knickerbocker described conditions in the deserted city of the Netherlands East Indies last night in a trans-Pacific telephone report to The Sun office here.

"Nothing will affect the determination of the indomitable Dutch never to negotiate or surrender, but to fight always," Knickerbocker said.

"I am * * * "

A voice broke in.

"This is the censor in San Francisco," it said. "Please don't use that last sentence about * * * "

"All right.

"Go ahead, then," said the censor.

"Praising the calmness of the Dutch in the face of the heavy Japanese drive, Knickerbocker compared the present situation in Batavia with that in Paris in May, 1940, when the German blitz rolled across the Aisne and Somme rivers.

[fol. 1645] "There is none of the confusion which characterized Paris in those days," he said.

"The landings in Bali are comparable in some ways with the crossings of Aisne and the Somme."

"But the calmness and determination of the Dutch do not lessen the seriousness of the situation, Knickerbocker added.

"I have to read this as it is prepared, he said. The censor won't allow me to skip through it. But here it is:

"However cheerful one may be it remains true that the Japanese are now in position, with land planes

based on Bali, to intercept any attempt to land troops from Australia or bring aid to the northern coast of Java."

I Am the Last One Here

"It appears," Knickerbocker added, "that land-based planes on Bali can operate as far as the important Java naval base at Soerabaja.

"At the other end of Java," he said, "the Strait of Soenda, which separates Java from Sumatra, is menaced by Japanese possession of Palembang."

"I am the last one here," he repeated.

"I am * * *"

This time no voice cut in, but the correspondent's remarks could not be heard for a moment.

Denies Trouble with Censor

He was repeating, fearful that reception of the call might not be had in Chicago. But his voice was heard clearly.

"Are you having trouble with the censor?" Knickerbocker was asked.

"No, no," he said. "The censors have passed every-[fol. 1646] thing, but there is considerable trouble with transmission."

"We understand that. War conditions."

"Yes."

"Okay."

"So long. I'll keep filing."

March 20, 1942.

"Four Great News Beats * * * in 36 Days:

"* News Beat No. 1—Edward Angly's story, an outstanding news beat of this war, 'Yanks in Australia.' This not only was a sensational 'first' for Chicago Sun readers, but drew international attention * * * was carried by newspapers from coast to coast and throughout Great Britain * * * broadcast by major networks both in the United States and in Great Britain.

"* News Beat No. 2—Harry Lang's story of 'U. S. Troops Rush Alaska Road.' Lang was there on the spot to bring Chicago Sun readers the dramatic story of thousands of American soldiers about to smash a

highway through Canada's vast wilderness to Alaska * * * A story so important, so revealing, the Canadian Parliament discussed it next day.

"* News Beat No. 3—H. R. Knickerbocker's sensational exclusive story of the U. S. Naval forces that mopped up the Japanese in the Gilbert and Marshall islands, vital to the protection of American convoys, and the arrival of the American Armada in New Zealand. You'll recall, Knick 'went fishing' for 30 days and turned up with this outstanding news beat.

"* News Beat No. 4—H. R. Knickerbocker brought Chicago Sun readers another exclusive news beat Thursday with his thrilling story of Gen. MacArthur's dash through enemy-infested water and air to the coast of Australia. Knickerbocker's exciting drama-packed [fol. 1647] story was purchased and published by 27 leading American, British and Australian newspapers.

"The Chicago Sun

"*First* with the News of First Importance!"

April 18, 1942.

"* * * H. R. Knickerbocker:
Harry Lang:
Chester Morrison:
Edward Angly:
Frederick Kuh:

"These and other ace correspondents—authors of sensational, exclusive war 'scoops'—cover the action fronts for Chicago Sun readers. Get the news as it happens, *accurately reported* in The Chicago Sunday Sun. * * *"

June 26, 1942.

"But since then there have been endless achievements in good journalism * * * to Ed Angly's enterprise and ingenuity in giving The Chicago Sun the first news of the arrival of the A. E. F. in Australia * * *"

July 19, 1942.

"Eight governments-in-exile and the Fighting French have appealed to the United States, Britain,

Russia and the Pope to halt the rising tide of Nazi atrocities in Occupied Europe, it was learned exclusively yesterday by Frederick Kuh of the Chicago Sun's London Bureau. * * *"

[fol. 1648] September 5, 1942.

"The World at War

"An exclusive interview with Eduard Benes, President of Czechoslovakia, in London, and profiles of the new Chinese Ambassador to Washington, Dr. Wei Tao-Ming, and his wife will appear in The Chicago Sun's news review page tomorrow."

September 27, 1942.

"Covering the War Fronts for You! H. R. Knickerbocker

The Chicago Sun Foreign Service Is on the Job: Frederick Kuh

From the burning sands of Egypt to the palm-fringed shores of Hawaii, able correspondents, members of The Chicago Sun Foreign Service, are on the job getting news for Sun readers. Edwin Hartrich

This staff in recent months has made sensational 'news beats' * * * has made journalistic history: Chester Morrison

Note the places each correspondent is located * * * spots where big things are happening. Regular Sun readers were familiar with these names—are confident that from them they will get important news as it happens: John G. Dowling

H. R. Knickerbocker—Chief of The Chicago Sun Foreign Service—now in Europe.

Frederick Kuh—Head of the London Bureau of The Chicago Sun and one of the best diplomatic reporters in Europe. Edward Angly

Shown here are six members of The Chicago Sun's Foreign staff. Others listed at left.

[fol. 1649] William J. Humphries—Assistant to Kuh in the London Bureau.

Edward Angly—Covering Australia and New Guinea.

Geo. Folster—Australia.

Eric Marris—New Zealand.

Elizabeth Borton de Trevino—Mexico City.

Chester Morrison—With the British General Headquarters in the Middle East.

John Adams—Covers South America from Rio de Janeiro, Brazil.

John Graham Dowling—With Admiral Nimitz in Hawaii.

Edwin Hartrich—In Berne, Switzerland, one of Europe's key listening posts.

Ben Robertson, Jr.—Covering the Russian War from Moscow.

These great news sources, too:

Supplementing The Sun's own special Foreign Service are these great news-gathering organizations:

New York Herald-Tribune Foreign Service; the United Press Associations and Reuters News Service, all world-wide and all with newsmen right "in the thick of things."

To get a full and complete account of today's important news-happenings on the war fronts turn to The Chicago Sun.

[fol. 1650] The Chicago Sun

September 30, 1942.

Proof of Nazi Jitters over a prospective second front in Western Europe is contained in these

photographs which originally appeared in a German publication. The magazine attempted to tell the German people that any attempts to invade Europe's Atlantic Coast would be quickly stifled. The magazine was smuggled to a neutral country and these reproductions were brought *exclusively to The Chicago Sun.* Picture at left shows a camouflaged Nazi observer on guard on the Holland coastline. The center picture shows a German marine patrolling the shore near St. Nazaire, France. At the right, Nazi sharpshooters in reed camouflage are "on alert" on the Dutch Coast. Note the wooden clogs, best suited to the Dutch marshes.

Photos from Publix.

October 24, 1942.

"Two Special Articles

by General Wavell,

Direct from New Delhi

"The Chicago Sun is proud to present two special articles by Gen. Archibald Wavell, simultaneous with their publication in The London Times.

"Writing from New Delhi, where he is in command of the British forces in India, Gen. Wavell discusses military genius through the years, with an analysis of the greatest generals of all times.

"Be sure to read the first of these illuminating articles by this brilliant British strategist, tomorrow in The

Chicago Sunday Sun."

[fol. 1651] December 4, 1942.

"The Sun's Capable Staff is Spread over the Globe Gathering News

"To give Chicago a complete, honest and accurate newspaper The Sun employs men and women skilled in the tasks of publishing a newspaper. Approximately one-ninth of the number of present employees are in the armed forces.

"To give Sun readers adequate coverage from Washington The Sun has one of the largest staffs of any newspaper stationed in the nation's capital.

"Each day the cable desk receives thousands upon thousands of words from its correspondents stationed abroad. At present H. R. Knickerbocker, chief of The Chicago Sun's foreign service, is covering the western part of the African front, while Chester Morrison is stationed on the east end of the United Nations' pincers in Egypt, Frederick Kuh heads the London Bureau, with William Humphreys as his first assistant. Ben Robertson cables the news from India and Edward Angly keeps the readers informed from Australia. John Graham Dowling is somewhere in the South Pacific covering the war.

"*On Other News Fronts.*

"Sending the Sun news from other parts of the globe are Eric Marris in New Zealand, John Adams in Rio de Janeiro, George Folster in Sydney, Elizabeth Borton de Trevino in Mexico City and John F. Lowry in Honolulu.

"The foreign coverage by these experts is one of the most popular features of The Sun Syndicate. Newspapers that subscribe to The Sun Syndicate service in this country include the Washington Post, Philadelphia Record, St. Louis Star-Times and Newark Star-Ledger.

"Abroad The Sun Syndicate is taken by several leading newspapers. The latest subscriber is Great Brit- [fol. 1652] ain's largest publishing chain, Allied Newspapers, Ltd., with 19 newspapers in London, Manchester, Newcastle, Sheffield and Middlesborough in England and Aberdeen and Glasgow in Scotland. Three newspapers in Australia also take the service—the Sydney Sun, Sydney Telegraph and Melbourne Herald.

September 6, 1942.

"This is a portrait of the life and surroundings of Harold O. Thompson, Washington correspondent. He has written millions of lines of news, but few of his readers know his name. Though he talks to Presidents and kings he lives in a modest brick house in the suburbs. He is one of the men who tell the whole nation what its government is doing to win the war, but by appearance he might be you, your next door neighbor, or any other average American.

"Thompson's experience as a Far Eastern Correspondent for the United Press makes him an authoritative judge of Pacific war developments. He was stationed in Tokyo several years, and covered the Japanese Army in Manchuria. Having actually gone into the field on a number of occasions, he knows how the Japs fight.

"Thousands of letters are written every month to the Washington bureaus of daily newspapers and press associations. Those addressed to the United Press, and asking questions about the Far East, are generally turned over to Thompson."

January 2, 1943.

"War News

"If you didn't read The Sun's special dispatches from the Solomons by John Graham Dowling, you missed some of the best reporting in this war! * * * Or Chester Morrison, who's been making newspaper [fol. 1653] history as well as writing world history * * * Or H. A. Knickerbocker, who heads up The Sun's foreign staff * * * These and others are in the battle zones, sending home eyewitness stories and first hand reports that neither censors' delays nor official communiques detract from. Take a tip—and follow reports of these famous correspondents regularly, if you want a really complete picture of what's going on all over the globe!

February 8, 1943.

"Writer, after 7-month tour of Russia, Reveals Secrets of Victories over Nazis.

Reds Put Sacrifices Ahead of Triumphs.

This is the first of several articles by Maurice Hindus, special correspondent, who has just returned from a seven-month tour of Russia.

By Maurice Hindus

Special to The Chicago Sun

May 20, 1943.

Fire Damages Spanish Fleet.

The following exclusive dispatch from The Chicago Sun's London Bureau was obtained despite Spanish censorship, which forbade the story of the naval base fire to be sent out of the country.

May 31, 1943.

A True Story of the Horrors in a Nazi Prison • • •

And Escape!

It's Exciting! It's Revealing!

It starts in The Sun Thursday, June 3.

[fol. 1654] Stanley Prostrednik knows what it means to be beaten by a sadistic Nazi • • • knows the sensation of hearing himself sentenced to die by firing squad!

But he escaped and is living in Chicago today • • • living to relate to Sun readers, exclusively, one of the most amazing stories ever written about the restless Underground within the walls of Hitler's European Fortress!

It's a story every patriotic American should read • • • one that will reveal how the common man of the occupied countries is preparing for the day when he will rise again to destroy those who have crushed him!

June 1, 1943.

Doomed To Die • • •

Before a Firing Squad at Dawn • • •

• • • He escaped to bring Sun readers the exclusive true story of the Czechs' underground fight against the Nazis!

Through the dank, slimy darkness of a stinking sewer, Stanley Prostridnek, now a Chicago resident, escaped from a Nazi firing squad • • • from the vicious brutalities of a Nazi concentration camp in Czechoslovakia • • • to Free America • • • to bring you this story which starts Thursday in The Sun. This exclusive, uncensored story tells, for the first time, how the Underground operates • • • reveals the kind of preparations they are making for the hour of uprising • • • discloses how the "common people" who make up the

secret army of the occupied countries have never stopped fighting the Nazis!

One of the most amazing true stories to come out of Europe today. Starts Thursday, June 3, in

The Chicago Sun

[fol. 1655] June 3, 1943.

Czech Refugee Here Tells of Nazis' Prison Horrors

From inside the Underground organization, within the walls of Hitler's European Fortress, comes this exclusive story of one of the little people who make up the secret army of the occupied countries that has never stopped fighting the Nazis. The story reveals for the first time how the Underground operates and the preparations it has made for the hour of uprising. In a series of articles, of which this is the first, it describes the horrors of long months in a Nazi concentration camp.

[fol. 1656] EXHIBIT 2

Statements Appearing in The Chicago Sun Regarding Domestic News Coverage

January 3, 1942.

"• • • Page after page of alive, interesting reading • • •. On-the-Spot War News, reported by The Sun's own foreign staff: Knickerbocker, Angly, Lang • • • Accurate, complete coverage of national and local news • • •. A sparkling Sports Section • • • Women's Pages keyed to every feminine interest • • •. Outstanding Feature Columns by well-known writers • • •"

January 17, 1942.

"Complete News Coverage from our staff of feature writers and correspondents. News from the world of places and events. From Washington—from London —from Springfield—and from around the corner • • •"

February 14, 1942.

"What men and women are thinking, all the way from the corner of State and Madison to the fox holes of Bataan • • • The Sunday Sun offers its readers complete coverage of the news • • • local • • • national • • • world-wide • • • "

March 7, 1942.

"All this in addition to complete coverage of latest war news, activities at home and abroad, • • • "

May 10, 1942.

"Since so many Chicago families switched to The Sun • • • the man of the house finds that he can't run through The Sun between the orange juice and his second cup of coffee • • • and there's an argument with the Mrs. when he tries to take it with him.

[fol. 1657] "The Sun is giving Chicago more news than it ever had before in a morning paper • • • more important news first, more exclusive news, more Washington news, more news beats, big and little • • • a digest of war news, with maps that save time, add to understanding • • • "

July 10, 1942.

"But The Sun's service to Chicago, and strength in Chicago, lies in its news service • • • independent and impartial presentation of all the news of public interest. • • • "

July 14, 1942.

"In addition to these services, the staff of expert radio writers, analyzing and preparing the news especially for The Air Edition of The Sun, will have available stories from The Sun's own staff of brilliant correspondents abroad and in Washington. Extensive local and regional coverage will be provided by a large staff of Sun reporters assigned to all Chicago news beats and specially assigned to cover stories breaking in the Midwest."

November 11, 1942.

"Washington News—The Chicago Sun has the largest Washington Bureau in the country; composed of veteran reporters—all are experts in their particular fields. And they cover the capital daily, bring you all the real news from all active news sources; let you know everything significant that can be told and sent from Washington today! * * * No other Chicago newspaper can touch The Sun's Washington coverage, the volume and kind of news The Sun has—news you need today to know where you fit in the war scheme of things."

December 4, 1942.

"The Sun, striving to give its readers the best possible coverage, has organized one of the greatest staffs [fol. 1658] of war correspondents of any paper in the country. It has one of the largest and most competent bureaus in Washington.

"In the Chicago area it has 302 correspondents gathering the news of the Middle Western states. This is in addition to its large staff here."

December 4, 1942.

"To cover the local news The Sun employs photographers, reporters and rewrite men. And to cover the territory surrounding Chicago The Sun has 302 correspondents stationed in Illinois and adjoining states. The map below shows where these correspondents are located.

"This large regional staff has been assembled so that The Sun may be assured of full news coverage in the basic circulation area of Illinois, Indiana, Michigan, Wisconsin and Iowa. These correspondents provide special copy which supplements the news copy and pictures received from the regular and special state wire services of the United Press."

[fol. 1659] AFFIDAVIT OF ARCH WARD

STATE OF ILLINOIS,
County of Cook, ss:

ARCH WARD, being first duly sworn, deposes and says:

I am and have been sports editor of the Chicago Tribune since 1930. I am fully acquainted with the needs and requirements for the preparation of a sports section of a metropolitan newspaper. I have read the affidavit of Warren Brown, dated May 7, 1943. I know of no metropolitan newspaper that relies upon the Associated Press service or upon the United Press service without supplementing the news furnished by these press associations by the steps or similar arrangements set forth in the affidavit by Warren Brown. It is stated in the said affidavit that it was necessary for the Chicago Sun to install a Western Union ticker service in order to receive news of minor league events. The Chicago Tribune, with the Associated Press Service, has also found it necessary to install a Western Union ticker service and has used that service for many years for major as well as minor league news. The Western Union ticker frequently beats AP and we use the material therein for leads on our early edition baseball stories.

The Chicago Tribune has for many years had special correspondents for the purpose of reporting important sports events even though such sports events might be carried by the Associated Press. The Chicago Tribune has its own correspondent at each of the so-called Big-Ten universities to report on sports news from these schools. It also sends its own special reporter to attend to the more important college football, professional football, professional baseball, boxing, horse racing, college basketball, college track meet, professional track meet, and other sporting events. Other metropolitan newspapers cover these events [fol. 1660] in a similar manner. Readers of sporting pages are interested in the reporter's reaction to the sporting event as much as they are in the final result and statistical details of the event.

I do not know of any type of sporting event which would not be known in advance so as to make it impossible to make complete and effective special arrangements in time to get the usable news report of such sport event. News happenings other than sports events would be covered by the

United Press in generally the same manner as they would be covered by Associated Press. I, of course, do not know whether or not United Press furnished adequate reports on the seven stories listed in the Warren Brown affidavit on which he states United Press did not give adequate stories. Those seven stories occurred over a period of thirteen months.

I have examined the list of stories set forth under paragraph numbered 8 which it is charged the Chicago Tribune received from Associated Press and which it is charged were not furnished to the Chicago Sun at all or in time for use by United Press. As a matter of fact, many of these stories were supplied to the Chicago Sun and appeared in the Chicago Sun. As to when they were received by the Chicago Sun from United Press I cannot, of course, state. However, practically every one of these stories is definitely filler material or trivial and is the sort of material which would not ordinarily be placed on the news wire until after more important stories had cleared. In the time available it has been impossible to check all of these stories in the Chicago Tribune. However, I have checked the first 35 stories and have set them forth in Exhibit A, which is appended hereto. A glance at these stories will show that they are definitely filler material and of very little interest. As to the list of scores, the scores published on December 6, [fol. 1661] 1941, total 40 and not 46. Many of these scores are from schools of decidedly minor interest. Certainly very few readers of the Chicago Tribune or of the Chicago Sun would be interested to know that Kirksville Osteopaths beat Parsons 46 to 36. There are a number of schools in this list which even I as a sports editor have never heard of. The scores referred to on December 10, 1941, also contain many of little interest to newspaper readers in Chicago or the territory served by Chicago newspapers and certainly a large percentage of these scores would not be necessary to production of a Chicago metropolitan newspaper.

The story under New York dateline December 6th in Exhibit A, page 1, captioned "Rival Promoter Engages Jacobs in Legal Bout" was from a special correspondent and did not come from the Associated Press file. Also in Exhibit A, page 2, the story listed under New York dateline December 8th captioned "War Cuts Down Coast Guard's Baer Reception" was from a special correspondent. The scores such as football, basketball, etc., as published in the

compilation of scores in the Tribune come from special correspondents as well as from news agencies.

There is a vast amount of information available each day in the nature of filler material for a sports page, much of which, whether received over UP or AP, would not be used, and it is a question of the judgment of the sports editor as to what should be included.

I attach as Exhibit B statements which have appeared in the Chicago Sun on the dates indicated regarding Sun coverage of sports news.

(Sgd.) Arch Ward.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Sgd.) Otto F. Meyers, Notary Public.

(Here follows 1 photolithograph, side folio 1662)

EXHIBIT A

STORIES APPEARING IN CHICAGO TRIBUNE (FINAL EDITION) REFERRED TO IN AFFIDAVIT OF WARREN BROWN, DATED MAY 7, 1943

12/4/41-P.34 (2nd page of sports section) Column 8, top

BROWN, FAMOUS OLD CUB PITCHER, IS BACK IN GAME

Jacksonville, Fla., Dec. 3 (AP).—Mordecai (Three Finger) Brown, who started his baseball career with Terre Haute of the Three Eye league in 1901 and who pitched the Chicago Cubs to 186 victories between 1904 and 1912, will be back in baseball next spring—with Terre Haute.

The big fellow, now 65 years old, disclosed today he has acquired an interest in the Terre Haute club and would be actively associated in the club's operation. Terre Haute, a former member, returned to the league today in place of Moline, Ill.

"I'm just like a hunter who has lost his way in the north woods," Brown said with a happy grin. "I've been wandering around in a circle for 40 years. Now I'm back where I started and the circle is complete."

Brown played for Cincinnati, St. Louis, and Brooklyn after starring with the Cubs, returned to Chicago in 1913 and 1914, then went to Columbus in the American association, Terre Haute, Indianapolis, and finally Terre Haute again before retiring from the game in 1920.

Between 1906 and 1910, the great Cub pitcher participated in nine world series games, winning five and losing four. His National league record was 239 victories against 130 defeats. His nickname came from a crippled right hand, on which his forefinger is missing.

12/4/41-P.34 (2nd page of sports section) Col. 3, lower center.

Grodzicki, Card Rookie,

12/4/41-P.35 (3rd page of sports section) Col. 2, lower half

Army Elects Captains of 12 Winter Sports

West Point, N. Y., Dec. 3 (AP).—James O. Frankosky of Fargo, N. D., today was selected captain of the 1942 Army soccer team. The Army Athletic association also announced the following other captains for 11 winter sports:

Basketball, Ernest J. White, Falls City, Neb.; boxing, Frank B. Clay, Washington, D. C.; fencing, Andrew B. Wright, Los Angeles, Cal.; gymnastics, Wallace D. Frank, Louisville, Ky.; hockey, Frederic H. R. Tate, St. Augustine, Fla.; pistol, Ben F. Hardaway, Baltimore, Md.; indoor polo, John H. Dean, Washington, D. C.; rifle, Richard A. Wise, Canton, O.; swimming, Frank C. Benfield, Providence, R. I.; indoor track, Ralph J. White, Kingsport, Tenn.; wrestling, Joe D. Rossmeyer, Albuquerque, N. M.

12/5/41-P.35 (1st page of sports section) Col. 5, bottom

Keeneland Retires Bonds, Gives University $9,000

Lexington, Ky., Dec. 4 (AP).—Directors of Keeneland association, owner of the nonprofit race course here, today voted to retire approximately $30,000 worth of the association's outstanding bonds and to donate $9,000 to the University of Kentucky. This action marked the first time since the track was organized six years ago that any of the bonds have been ordered retired and the donation to the university is the largest contribution the track has made.

12/6/41-P.21 (1st page of sports section) Col 8, bottom

College Basketball

LAST NIGHT'S RESULTS.

St. Paul, 47; Lakewood, 32.
Wabash, 45; Oakland City, 35.
DePauw, 53; Kenosha, 23.
Valparaiso, 34; Elmhurst, 24.
Great Lakes, 60; Scott Field, 32.
St. Joseph's, 37; Chicago Teachers, 28.
Loras, 39; St. Thomas [St. Paul], 27.
Rose Poly, 46; Earlham, 31.
Chanute Field, 36; DePauw Frosh, 24.
Wagnerberg, 34; Carnegie Tech, 22.
Villanova, 50; Loyola [Baltimore], 38.
Toledo, 37; Bluffton, 24.
Simpson, 38; Drake, 34.
Superior Teachers, 61; Michigan Tech, 27.
Long Island, 53; American International, 21.

12/7/41-Sunday, Part 2, p.2*, col.3, lower half.

Don Meade to Boot 'Em Home at Tropical Park

New York, Dec. 6 (AP).—Don Meade, who has hosted home 218 winners this season, is recovering from a severe dental operation but will leave next week for Florida and the opening of Tropical Park on Dec. 20. Meade will free lance at Florida since Walter Chrysler, to whom the South Dakotan is bound by contract, will race his horses later in the season.

12/7/41-Sunday, Part 2, page 3*, column 5, bottom

Tigers' Hal Newhouser to Wed Detroit Girl

Detroit, Mich., Dec. 6 (AP).—Harold Newhouser, 20 year old Detroit Tiger pitcher, applied at the county clerk's office today for a license to marry Beryl Margaret Steele, 19 year old Detroit salesgirl.

12/7/41-Sunday, Part 2, page 3*, column 7, center

PHILLIES TO KEEP THEIR TWO STARS, MANAGER SAYS

Philadelphia, Pa., Dec. 6 (AP).—Outfielder Danny Litwhiler and Pitcher Johnny Podgajny are not going to be sold by the Phillies, Manager Hans Lobert declared today. Returning from the minor league meeting in Florida, he added: "You can make that as strong as possible."

Virtually all of the major league clubs are after the two, Lobert said. "I'll trade any one else, but they're not going to palm off any of their second string players on me. If they want to do business with me they're going to give me what our players are worth."

12/7/41-Sunday, Part 2, page 4**, column 6, lower half

POFFENBERGER'S ON MOVE AGAIN

12/7/41-Sunday, Part 2, page 4**, column 6, bottom

Tulsa Tackle to Take Double Football Dose

Tulsa, Okla., Dec. 6 (AP).—Charley Greene, University of Tulsa captain, is taking a double dose of holiday football. With permission from university officials, the big tackle will play on the southern team in the north-south All-Star contest at Montgomery, Ala., Dec. 27, then fly to El Paso, Tex., to join his teammates for the Sun bowl game.

12/7/41-Sunday, Part 2, page 5**, column 8, lower half

RIVAL PROMOTER ENGAGES JACOBS IN LEGAL BOUT

New York, Dec. 6 [Special].—Mike Jacobs had another bout on his hands today. However, the battle on this occasion concerns himself and Herman Taylor of Philadelphia and it will be fought with words instead of gloves. Taylor has charged Jacobs with an attempt to ruin his Philadelphia boxing program and said he would request Congressman Leon Sachs of Pennsylvania to start an official Washington investigation of Jacobs' alleged monopoly of professional boxing.

The verbal bout began when Ray Robinson, New York colored welterweight, failed to go thru with a contracted fight with Marty Servo of the navy at Philadelphia. Taylor said Robinson was urged by Jacobs to miss this match and later was signed to meet Young Kid McCoy in Madison Square Garden on Jan. 16. The winner is expected to oppose Champion Freddie Cochrane on Feb. 20.

12/7/41-Sunday, Part 2, page 5**, column 7, bottom

USC PRESIDENT PUTS APPROVAL ON COACH BARRY

Los Angeles, Cal., Dec. 6 (AP).—Sam Barry, who became Southern Califor-

Jacksonville, Fla., Dec. 3 (AP).—Mordecai [Three Finger] Brown, who started his baseball career with Terre Haute of the Three Eye league in 1901 and who pitched the Chicago Cubs to 186 victories between 1904 and 1912, will be back in baseball next spring—with Terre Haute.

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12/5/41-P.35 (1st page of sports section) Col. 5, bottom

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Wabash, 48; Oakland City, 28.
DePauw, 53; Hanover, 28.
Valparaiso, 34; Elmhurst, 26.
Great Lakes, 60; Scott Field, 28.
St. Joseph's, 37; Chicago Teachers, 28.
Loras, 39; St. Thomas [St. Paul], 27.
Rose Poly, 46; Earlham, 31.
Chanute Field, 58; DePauw Frosh, 24.
Waynesburg, 34; Carnegie Tech, 32.
Villanova, 60; Loyola [Baltimore], 28.
Toledo, 77; Bluffton, 24.
Simpson, 38; Drake, 34.
Superior Teachers, 61; Michigan Tech, 27.
Long Island, 51; American International, 32.
Harvard, 51; Mass. Tech, 31.
Georgetown [Ky.], 69; Ithaca, 64.
Cape Girardeau [Mo.], 68; Arkansas State, 37.
Fort Custer, 59; Hope, 36.
Mount Pleasant, 41; Albion, 27.
Vermont, 59; Rhetorich, 27.
La Salle, 68; Akanai, 29.
Xavier [Cincinnati], 44; Pennsylvania, 30.
Otterbein, 39; Cedarville, 33.
Marietta, 44; Rio Grande, 36.
West Virginia Wesleyan, 67; Fairmont, 31.
Hiram, 39; Kings college, 33.
Hillsboro State, 37; Lawrence Tech, 31.
Nebraska Wesleyan, 33; Penn, 18.
North Dakota State, 38; Jamestown, 28.
Evansville, 51; Hillsville [Pa.], 44.
Richville Gunnerville, 46; Parsons, 38.
Rhodes U., 49; Miami, 38.
St. Mary's, 54; Pittsburg Teachers, 38.
Edgewood Arsenal, 48; Blue Ridge, 33.
Montana Normal, 68; Great Falls, 38.
Missouri Central, 34; Kemper, 32.
Manchester, 39; Taylor, 33.
York [Neb.], 47; Concordia Teachers, 32.
Luther, 41; Immanuel Deaconess, 32.
Louisville, Ky., hockey, Frederic H. A. Iste St. Augustine, Fla., pistol, Ben F. Hardaway Baltimore, Md., indoor polo, John B. Deane Washington, D. C., rifle, Richard A. Wise Canton, O., swimming, Frank C. Seefeldt Providence, R. I., indoor track, Ralph J. White, Kingsport, Tenn., wrestling, Joe D. Hennessy, Alamogordo, N. M.

#-These scores were not credited to AP and it is impossible at this date to tell the source of each score.

12/4/41-P.34 (2nd page of sports section) Col. 3, lower center.

Grodzicki, Card Rookie, Passes Army Physical

Wilkes-Barre, Pa., Dec. 3 (AP).—John Grodzicki of Nanticoke, Pa., star hurler for Columbus in the American Association, passed a physical examination today for army service. Grodzicki, property of the St. Louis Cardinals, was a leading hurler in the American association last season.

12/7/41-Sunday, Part 2, page 3*, column 5, bottom

Tigers' Hal Newhouser to Wed Detroit Girl

Detroit, Mich., Dec. 6 (AP).—Harold Newhouser, 20 year old Detroit Tiger pitcher, applied at the county clerk's office today for a license to marry Beryl Margaret Steele, 19 year old Detroit saleagirl.

12/7/41-Sunday, Part 2, page 3*, column 7, center

PHILLIES TO KEEP THEIR TWO STARS, MANAGER SAYS

Philadelphia, Pa., Dec. 6 (AP).—Outfielder Danny Litwhiler and Pitcher Johnny Podgajny are not going to be sold by the Phillies, Manager Hans Lobert declared today. Returning from the minor league meeting in Florida, he added: "You can make that as strong as possible."

Virtually all of the major league clubs are after the two, Lobert said. "I'll trade any one else, but they're not going to palm off any of their second string players on me. If they want to do business with me they're going to give me what our players are worth."

12/7/41-Sunday, Part 2, page 4**, column 6, lower half

POFFENBERGER'S ON MOVE AGAIN TO SAN DIEGO

Nashville, Tenn., Dec. 6 (AP).—Portly Boots Poffenberger, who was too eccentric even for the Brooklyn Dodgers, is headed for the west coast to resume a baseball career abruptly halted last summer by a slight to-do with an umpire.

Boots climaxed the argument by throwing a ball—the last he ever tossed in the Southern association—smack at the umpire. He drew a 20 day suspension.

Today—and with a kind word—Nashville Manager Larry Gilbert said he had sold Boots to the San Diego Padres of the Pacific Coast league in a straight cash transaction. "Boots can win anywhere," said Gilbert, "if he behaves himself."

12/7/41-Sunday, Part 2, page 5**, column 8, lower half

RIVAL PROMOTER ENGAGES JACOBS IN LEGAL BOUT

New York, Dec. 6 [Special].—Mike Jacobs had another bout on his hands today. However, the battle on this occasion concerns himself and Herman Taylor of Philadelphia and it will be fought with words instead of gloves. Taylor has charged Jacobs with an attempt to ruin his Philadelphia boxing program and said he would request Congressman Leon Sachs of Pennsylvania to start an official Washington investigation of Jacobs' alleged monopoly of professional boxing.

The verbal bout began when Ray Robinson, New York colored welterweight, failed to go thru with a contracted fight with Marty Servo of the navy at Philadelphia. Taylor said Robinson was urged by Jacobs to miss this match and later was signed to meet Young Kid McCoy in Madison Square Garden on Jan. 16. The winner is expected to oppose Champion Freddie Cochrane on Feb. 23.

12/7/41-Sunday, Part 2, page 5**, column 7, bottom

USC PRESIDENT PUTS APPROVAL ON COACH BARRY

Los Angeles, Cal., Dec. 6 (AP).—Sam Barry, who became Southern California's football coach on short notice last August, "will be with us a long, long time," says President Rufus B. Von KleinSmid. Barry did a "whale of a job despite a shortage of material," Dr. Von KleinSmid told the school's homecoming banquet last night.

[fol.] 1663

Dec. 8, 1941, P. 27 (1st page of sports section) col. 6, bottom

BEARS (OF HOLLYWOOD) WIN LITTLE WORLD TITLE, 21 TO 9

Los Angeles, Cal. Dec. 7 (AP).—The Hollywood Bears won the little world championship of professional football today by defeating the Columbus, O., Bulls, 21 to 9, before 18,000. The Bears scored twice in the opening period and staved off the Bull's attack until the third quarter.

Dec. 8, 1941, P. 28 (2nd page of sports section) col. 1, l.half

RIP SEWELL SHOT IN BOTH LEGS IN HUNTING MISHAP

Ocala, Fla., Dec. 7 (AP).—Truett [Rip] Sewell, star pitcher for the Pittsburgh Pirates, was shot in both legs today in a hunting accident in the nearby Ocala forest, but his injuries were not believed serious.

Sewell, who signed his 1942 contract in Jacksonville last Monday in a conference with President William Benswanger, was brought to the Marion General hospital here, his condition reported good.

Bill Barnett of the Florida industrial commission said he and Sewell were with a party of friends and Sewell accidentally got into the line of fire as one of the group shot at a deer.

Barnett said Sewell did not believe the injuries would interfere with his playing career and anticipated a quick recovery.

Dec. 9, 1941, P. 25 (1st page of sports section) col. 4, bottom

PATTY BERG HURT IN AUTOMOBILE CRASH IN TEXAS

Corsicana, Tex., Dec. 8 (AP).—Patty Berg, Minneapolis golf star, suffered a fractured left knee cap and a lacerated jaw today in an automobile collision 17 miles southeast of here. Helen Dettweiler of Washington, D. C., also a golf star, escaped injury. Miss Berg was brought to a Corsicana hospital.

The two were on their way to Palestine, Tex., when their car and another colided.

Dec. 9, 1941, P. 27 (3rd page of sports section) col. 1, l.half

TRUDEL LEADS HOCKEY SCORING WITH 24 POINTS

New Haven, Conn., Dec. 8 (AP).—Lou Trudel of the Washington Lions who has scored three goals in a single game twice this season, leads the American Hockey league scoring today with 24 points, a gain of six over his total just one week ago.

Norm Calladine of the Providence Reds is right behind Trudel in the list released at league headquarters with 23 points, and Adam Brown of Indianapolis and Ab Collings, Calladine's teammate, are tied for third place, each with 21 points.

During the past week Ed Bush of Providence spent 10 more minutes in the penalty box and his season total of 48 minutes gives him a wider margin than ever as the league's champion buster.

Dec. 9, 1941, P. 27 (3rd page of sports section) col. 1, l.half

WAR CUTS DOWN COAST GUARD'S BAER RECEPTION

New York, Dec. 8 [Special].—A coast guard band of six pieces greeted Buddy Baer today on his arrival from Chicago on his way to Lakewood, N. J., to train for a fight with Joe Louis Jan. 9 in Madison square garden. The band was there because the fight is a navy benefit show.

The six pieces did not make much noise. "I'm awfully sorry," a coast guardsman in charge of press relations said, "but the band had to be curtailed because of the crisis."

[fol. 1664]

Dec. 9, 1941, P. 27 (3rd page of sports section) col. 1, l.half

MAKE PAIRINGS FOR PONTIAC'S BASKET TOURNEY

Pontiac, Ill., Dec. 8 (AP).—Pairings for the 16th annual Pontiac holiday basketball tournament were announced today. Centralia is the defending champion in the meet, which will be played Dec. 30, Dec. 31, and Jan. 1. The drawings:

Quincy vs. Clay City; Dwight vs. Eureka; East Moline vs. Normal Community; Peoria Woodruff vs. Urbana; Central vs. Rushville; West Aurora vs. Gibson City; Rock Island vs. Pontiac; Charleston vs. Fairbury.

Dec. 9, 1941, P. 27 (3rd page of sports section) col. 2, bottom

MISSOURI TO PREPARE FOR FORDHAM NEAR GULFPORT

Columbia, Mo., Dec. 8 (AP).—Missouri's football squad will train for its Sugar bowl football game with Fordham at the Gulf Coast Military academy, quartering at the Edgewater Gulf hotel, seven miles from Gulfport, Miss. The squad will reach there Dec. 30 and leave New Year's day for New Orleans, 60 miles away.

Dec. 9, 1941, P. 28 (4th page of sports section) col. 6, l.half

BOB MONTGOMERY STOPS JIMMY GARRISON IN 4TH

Philadelphia, Pa., Dec. 8 (AP).—Bob Montgomery, Philadelphia's outstanding contender for the lightweight title, scored a technical knockout tonight over Jimmy Garrison of Kansas City before 5,000 at the Arena. Referee Matt Adgie stopped the fight during the intermission between the fourth and fifth rounds because Garrison was bleeding freely from a gash over his left eye.

*—These scores were not credited to AP and it is impossible at this date to tell the source of each score.

Dec. 10, 1941, P. 35 (1st page of sports section) col. 5, center

*COLLEGE BASKETBALL

YESTERDAY'S RESULTS

Illinois, 45; Marquette, 43.
Wright J.C., 82; Morgan Park J.C., 43.
Chicago Teachers, 30; Arkansas State, 24.
Lake Forest, 46; Illinois Tech, 39.
Loras, 39; Camp Grant [Ill.], 24.
Dartmouth, 47; Vermont, 18.
Manhattan, 35; Muhlenberg, 28.
Waynesbury, 33; West Liberty, 27.
Kenyon, 71; Buffton, 57.
Heidelberg, 48; Ashland, 36.
Bucknell, 23; Susquehanna, 18.
Xavier, 43; Morehead [Ky.] State T., 27.
Luther, 46; Augsburg, 15.
St. John's [N.Y.], 68; Montclair, 38.
Augustana [S.D.], 43; Wayne [Neb.], 25.
Tennessee, 60; Lincoln U., 15.
Tusculum, 44; Tennessee Teachers, 33.
Langley Field, 37; Richmond, 32.
Ithaca, 53; Hartwick, 39.
Loyola [Md.], 56; Morris-Harvey, 31.
Calvin, 41; Grand Rapids Junior, 34.
Defiance [O.], 34; Hillsdale, 31.
Adrian, 36; Giffin [O.], 34.
Bay City YMCA, 51; Alma, 50.
Wooster, 64; Findlay, 33.
Toledo, 45; Detroit Tech, 25.
Dayton, 69; Rio Grande, 31.
Peru [Neb.], 45; Tarkio, 39.
Baker, 33; Friends, 30.
Warrensburg [Mo.], 44; Westminster, 31.
Fairmont [W.Va.], 57; Bethany, 50.
So. Methodist, 40; North Texas State, 34.
West Texas State, 88; Omaha, 25.
Winona [Minn.], 34; La Crosse, 31.
Scranton, 65; Mansfield, 36.
New York U., 81; Upsala, 26.
McCook Junior, 39; Kearney [Neb.], 25.
Indiana State, 74; Oakland City, 18.
Franklin, 40; DePauw, 39.
Tri-State, 46; Olivet, 29.
Taylor, 45; Central [Ind.], Normal, 31.
Mass. Tech, 47; Middleburg, 31.
Rice, 65; Sam Houston State, 35.

(Here follows 1 photolithograph, side folio 1665)

12/11/41-P.28(2nd page of sports section) columns 2 & 3; 1 half

DELAWARE RACE REVENUE RISES TO $448,711.34

Wilmington, Del., Dec. 10 (AP)—Delaware's revenue from racing during 1941 was $448,711.34, the Delaware Racing commission reported to Gov. Walter W. Bacon today. This is an increase of $130,697.69 over 1940 revenue. Total receipts were $883,711.34, and the commission's expenses were $4,086.93.

Both attendance and pari-mutuel purchases exceeded the corresponding figures for 1940, the report shows, and continued the trend of increases since 1938. Attendance was 361,897 this year, as compared with 288,789 the year before, and 181,423 in 1939.

Pari mutuel sales were $21,688,113 in 1941, $9,288,280 in 1940, and $8,634,887 in 1939.

12/11/41-P.29(3rd page of sports section) columns 7 & 8, top

HANK GREENBERG SAYS HE'LL GO BACK TO ARMY

Philadelphia, Pa., Dec. 10 (AP)—Hank Greenberg, former outfield star for the Detroit Tigers, said last night he's going back into the army within a few days and forget baseball as a career.

Greenberg, voted the American league's outstanding player in 1940, was inducted under selective service last May and was released a few days ago because he was over the 28 year age limit.

"I'm going back in," said Hank, visiting friends here. "We are in trouble and there is only one thing to do—return to the service.

"I have not been called back. I am going back of my own accord."

Hank, who was reported to have received $55,000 a year playing for the Tigers, declared "baseball is out the window as far as I'm concerned. I don't know if I'll ever return to baseball. If I do, all right. If not, well, that's all right, too."

12/11/41-P.29(3rd page of sports section) col. 6, upper center

George Archie of Browns

12/12/41-P.35(3rd page of sports section) column 1, lower half

Georgia Tech-California Game Is Called Off

Berkeley, Cal., Dec. 12 (AP)—The Georgia Tech-University of California football game, scheduled here Dec. 27, was called off today at the request of the southern school. The requested action was taken because of the probability of many Georgia Tech players being called to military duty and the desire of squad members to remain home during the Christmas holidays.

12/12/41-P.35(3rd page of sports section) column 3, lower half

Louisville Signs Kress as Player and Coach

Louisville, Ky., Dec. 11 (AP)—Ralph (Red) Kress, deposed St. Paul manager and former major league infielder, has been signed by the Louisville Colonels of the American Association, President Bruce Dudley announced today. Dudley said Kfess would be used in the dual role of utility player-coach.

12/12/41-P.35(3rd page of sports section) column 4, lower half

National A. A. U. Sets Boxing Tourney Dates

Boston, Mass., Dec. 11 (AP)—Dates for the 1942 National AAU boxing tournament were set tonight for April 13, 14, and 17 at the Boston Garden by Eugene W. Driscoll, chairman of the New England AAU boxing committee.

12/12/41-P.35(3rd page of sports section) column 3, bottom

VALPARAISO CAPTAIN.

Valparaiso, Ind., Dec. 11 (AP)—Robert Bradley of Arlington Heights, Ill., leading scorer of the Valparaiso university football team during the season just ended, was elected captain of the 1942 team last night.

12/13/41-P.21 (1st page of sports section) column 8, bottom

College Basketball

LAST NIGHT'S RESULTS.

Purdue, 53; St. Paul, 34.
Loyola, 37; Denver, 32.
Chicago Teachers', 34; Iowa Teachers', 31.
Lake Forest, 40; Wheaton, 28.
South Central, 33; Hazlewood, 26.
Buffalo, 46; Susquehanna, 27.
Susquehanna, 46; Western Maryland, 42.
Southern California, 47; Loyola, (Los Angeles), 36.
Washington State, 70; Montana, 43.
Lawrence, 39; Grinnell, 31.
Lenoir, 46; Arkansas State, 13.
Centenillo Junior, 29; North Teachers, 24.
Penn Teachers, 60; Tech, 36.
La Crosse, 58; Platteville, 31.
Ohio Institute, 36; Louisiana State, 42.
Northern Michigan, 39; Penn, 37.
Albion, 60; Olivet, 32.
Alma, 72; Hillsdale, 28.
Duquesne, 48; Youngstown, 37.
Nebraska, 49; South Dakota, 32.
New York U., 39; Manhattan, 38.
Clark, 60; Bates, 48.
Western Reserve, 58; Kalamazoo col., 24.
Rhode, 49; Berea, 41.
Franklin-Marshall, 49; Hampden, 38.
La Salle, 50; Millersville (Pa.), 44.
Florida, 60; Florida Southern, 31.
Slippery Rock, 50; Westinghouse Tech, 44.
West Virginia Wes., 49; Waynesburg, 37.
Massachusetts State, 49; Hamilton, 48.
Howard, 54; St. Bernard, 38.
Swarthmore, 60; Philadelphia Pharmacy, 30.
Scranton, 52; Bucks-Harvey, 32.
[SOMEBODY REMEMBER MY FIRST NAME.]

Other College Basketball

Belmont, 44; Middlebury, 31.
Capital, 64; Bethany (W. Va.), 32.
Springfield (Mo.), 49; Wichita, 31.
Southwestern (Kan.), 47; Washburn, 44.
Texas Aggies, 55; North Texas Teachers, 42.
West Texas State, 73; Texas Mines, 44.
Detroit Tech, 58; Michigan Tech, 52.
Valparaiso, 52; Concordia (Fort Wayne), 34.
Hamden, 45; Principia, 24.
Centenary, 52; Arkansas A. & M., 34.
Wayne (Neb.), 37; Hastings, 34.
Southwest Missouri, 50; Murray (Ky.), 38.
Hall State, 48; Charleston (W. Va.), 42.
Jamestown (N. D.), 48; St. Bonedict C., 41.
Sterling, 39; Hoffman, 31.
Emporia Teachers, 37; Colorado State, 28.
Utah, 37; Idaho Southern Branch, 19.
New Mexico Teachers, 46; Arizona, 34.
Friends, 39; Oklahoma Baptist, 38.
Hamden, 45; Principia, 24.
Augusta, 43; Bridgewater, 36.
Arkansas, 50; Southwest Oklahoma, 40.

12/13/41-P.22(2nd page of sports section) column 4, bottom

ABC Asks Payment of Dues in Defense Bonds

Milwaukee, Wis., Dec. 12 (AP)—Secretary E. H. Baumgarten of the American Bowling Congress today asked the 16,000 bowling leagues in the national organization to pay their league prizes in United States defense bonds

12/13/41-P.22(2nd page of sports section) column 1, top

BRADLEY, AT 82, HOPES TO TAKE ANOTHER DERBY

Talks of 4 Candidates on His Birthday.

Lexington, Ky., Dec. 12 (AP)—Eighty-two years old today and in improved health, Edward R. Bradley, famed turfman and beloved by Kentuckians for his philanthropies, is looking forward to the 1942 racing campaign, which at the moment he doesn't believe will be seriously curtailed by the war. As for the Kentucky Derby—the sporting event closest to his heart—and the chances of one of his "B" named horses capturing a fifth gold cup next May, the colonel is optimistic in the typical Bradley manner.



E. R. Bradley.

"I have as good a chance right now as any body," he said, in a rare birthday interview at his bibegrass estate, Idle Hour. "But you can't tell what a horse will do from one month to the next."

Four Derby Candidates.

He has four prospective Derby candidates in Bless Me, By Conscript, Bliss, and Best Reward. In Bless Me, Bradley may develop a top-flight contender.

This juvenile won four out of five starts this season and was edged out in the Walden stakes by the year's 2 year old champion, Alsab, which Bradley considers the "horse to beat" in the Churchill Downs Classic.

He's Alert and Jovial.

The other three prospects campaigned but little this year, but Bradley, as a rule, does not develop his track stars until they turn three.

Bradley was alert and jovial and appeared in much better health than he was a year ago, when he suffered a heart attack. Discussing his illness, the colonel said he didn't expect to retire until he was a 100.

... was $468,711.34, the Delaware Racing commission reported to Gov. Walter W. Bacon today. This is an increase of $130,657.89 over 1940 revenue. Total receipts were $653,711.34, and the commission's expenses were $4,086.96.

Both attendance and pari-mutuel purchases exceeded the corresponding figures for 1940, the report shows, and continued the trend of increases since 1939. Attendance was 361,887 this year, as compared with 286,780 the year before, and 181,423 in 1939.

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12/11/41-P.29(3rd page of sports section) columns 7 & 8, top

HANK GREENBERG SAYS HE'LL GO BACK TO ARMY

Philadelphia, Pa., Dec. 10 (AP).—Hank Greenberg, former outfield star for the Detroit Tigers, said last night he's going back into the army within a few days and forget baseball as a career.

Greenberg, voted the American league's outstanding player in 1940, was inducted under selective service last May and was released a few days ago because he was over the 28 year age limit.

"I'm going back in," said Hank, visiting friends here. "We are in trouble and there is only one thing to do—return to the service.

"I have not been called back. I am going back of my own accord."

Hank, who was reported to have received $55,000 a year playing for the Tigers, declared "baseball is out the window as far as I'm concerned. I don't know if I'll ever return to baseball. If I do, all right. If not, well, that's all right, too."

12/11/41-P.29(3rd page of sports section) col. 6, upper center

George Archie of Browns Leaves to Join Army

Nashville, Tenn., Dec. 10 (AP).—George Archie, first baseman for the St. Louis Browns, left his home here last night for induction into the army at Camp Forrest, Tenn. He is 27 years old. Archie formerly played with Beaumont in the Texas league, Seattle in the Pacific Coast league, requested action was taken because of the probability of some Georgia Tech players being called to military duty and the desire of squad members to remain home during the Christmas holidays.

12/12/41-P.35(3rd page of sports section) column 3, lower half

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Georgetown, 56; Western Maryland, 43.
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Washington State, 74; Montana, 45.
Lawrence, 32; Grinnell, 31.
Iowa, 49; Arkansas State, 15.
Centralia Junior, 39; Harris Teachers, 34.
Penn Teachers, 48; York, 36.
La Crosse, 58; Platteville, 37.
Elon Institute, 34; Lenoir-Rhyne State, 42.
Northern Michigan, 60; Peru, 37.
Albion, 46; Olivet, 26.
Akron, 78; Hillsdale, 28.
Duquesne, 42; Youngstown, 27.
Nebraska, 48; South Dakota, 28.
New York U., 39; Montclair, 22.
Clark, 48; Seton, 40.
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[OTHER RESULTS ON NEXT PAGE.]

Other College Basketball

Williams, 44; Middlebury, 31.
Capital, 54; Bethany [W. Va.], 38.
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Detroit Tech, 58; Michigan Tech, 33.
Valparaiso, 52; Concordia [River Forest], 31.
Bowdoin, 45; Principia, 24.
Centenary, 52; Arkansas A. & M., 24.
Wayne [Neb.], 37; Hastings, 34.
Southeast Missouri, 58; Murray [Ky.], 38.
Ball State, 42; Charleston [Ill.], 40.
Jamestown [N.D.], 48; No. Dakota U., 41.
Sterling, 50; Hoffman, 31.
Emporia Teachers, 37; Colorado State, 28.
Utah, 37; Idaho Southern Branch, 18.
New Mexico Teachers, 46; Arizona, 34.
Friends, 39; Oklahoma Baptist, 18.
Bowdoin, 45; Principia, 24.
Juniata, 43; Bridgewater, 18.
Arkansas, 59; Southeast Oklahoma, 46.

12/13/41-P.22(2nd page of sports section) column 4, bottom

ABC Asks Payment of Dues in Defense Bonds

Milwaukee, Wis., Dec. 12 (AP).—Secretary E. H. Baumgarten of the American Bowling Congress today asked the 12,000 bowling leagues in the national organization to pay their league prizes in United States defense bonds and stamps. The ABC has purchased $15,000 in bonds and plans to convert most of its reserve fund into such securities.

ANOTHER DERBY

Talks of 4 Candidates on His Birthday.

Lexington, Ky., Dec. 12 (AP).—Eighty-two years old today and in improved health, Edward R. Bradley, famed turfman and beloved by Kentuckians for his philanthropies, is looking forward to the 1942 racing campaign, which at the moment he doesn't believe will be seriously curtailed by the war. As for the Kentucky Derby—the sporting event closest to his heart—and the chances of one of his "B" named horses capturing a fifth gold cup next May; the colonel is optimistic in the typical Bradley manner.



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#These scores were not credited to AP and it is impossible at this date to tell the source of each score.

[fol. 1666]

Dec. 10, 1941, P. 34 (2nd page of sports section) col. 8, l.center

FIGHT DECISIONS

LAST NIGHT'S RESULTS

At Brooklyn, N. Y.—Herbie Katz beat Tony Musto [8.]

At White Plains, N.Y.—Al Hart stopped Jed Gaban [4].

At New York—Cal Cagni and Vic Dellicurti drew [8].

At Jersey City, N.J.—Mike Piskin beat Mickey Makar [10].

Dec. 10, 1941, P. 35 (3rd page of sports section) column 1, bottom

MUSTO LOSES TO KATZ; SUFFERS A BROKEN JAW

Brooklyn, N.Y., Dec. 9 (AP).—Tony Musto, who went nine rounds with Champion Joe Louis earlier this year, suffered a broken jaw tonight in his fight with Herbie Katz.

Musto went down for a nine count from a right midway in the second round and it is believed the jaw was broken at that time. Katz, weighing 176¾ to 205¼ for Musto, won the eight round decision easily.

Dec. 10, 1941, P. 35 (3rd page of sports section) column 8, top

SCRANTON CLUB RETAINS NEMO LEIBOLD AS PILOT

Scranton, Pa., Dec. 9 (AP).—The Scranton baseball team of the Eastern league today announced that Harry [Nemo] Leibold of Detroit, had been signed for the 1942 season as manager of the local club.

Dec. 10, 1941, P. 36 (4th page of sports section) col. 2, l. half

MACK PLANS TO KEEP A'S CAMP IN CALIFORNIA

Philadelphia, Pa., Dec. 9 (AP).—Connie Mack today complacently went ahead with spring training plans for his Athletics in California.

"While I have considered making the change to Florida, I do not think that will be necessary this year. California is all right now," the veteran baseball manager said in reply to an offer to share the National league Phils' camp in Florida.

President Gerald Nugent of the Phils made the offer yesterday after learning that Mack had given some consideration to the change.

[fol. 1667] EXHIBIT B

Statements Appearing in the Chicago Sun Regarding Sports News Coverage

January 1, 1942.

"The complete story of the big post-season games by The Chicago Sun's own great staff of experts. • • • These writers know the game—the players, and how to put the complete thrilling picture into vivid words • • • ".

January 6, 1942.

"Are you balmy over basketball • • • not for hockey?

Whichever game's your favorite • • • The Sun's sports staff brings you all the color and all the facts. Written by sports specialists who can capture the swish of a basketball through the hoop, the madness of a hockey pileup in front of the goal, here is alert, enjoyable Basketball and Hockey reporting that you'll go for • • • every day in The Chicago Sun."

September 26, 1942.

Good News For All Midwest Sports Fans!

The Chicago Sunday Sun will bring you a big 12-Page Sport Section Tomorrow

and every Sunday during the 1942 football season. It will be cram-packed with action and diagrammed pictures, scores and stories. You'll acclaim it "America's Greatest, most complete sports section you've ever seen!" Be sure to reserve your copy of tomorrow's

Chicago Sunday Sun

[fol. 1668] October 1, 1942.

"Get the Great 12-Page Sports Section in the Chicago Sunday Sun

"12 Full Size Pages Covering All Sports

"Get the Sun—and Read the Stars!

"*Here's great news for sport fans:* It's news about a gigantic new 12 page Sports Section in the Chicago

Sunday Sun! Fans call it 'the biggest and best sports section in the country.' This bigger and better sports section gives you *complete* coverage of the big football games and other sports! It's just packed full of action pictures and stories of the big games edited by Warren Brown and written by an all-star staff of noted sports writers.

"*Special pictures are taken of the Saturday's games* and rushed to the Chicago Sun by. PHOTOPHONE, (pictures by telephone) as well as by fast trains and planes for publication in the Sun's big 12 page sports section on Sunday.

"*There are diagram pictures of sensational plays,* taken with 'machine-gun' cameras to show you the details of how passes were completed and touchdowns made! There are interesting stories, comments and side-lights about teams and players all over America.

"*Be sure to get the Chicago Sunday Sun next Sunday* and get the big 12 page Spots Section. It is a regular feature of the Sunday Sun throughout the football season! You've never seen anything quite like it before! For complete coverage of football and all sports remember—It's the Chicago Sunday Sun. Oct 4. Don't miss it!

October 17, 1942.

"The Midwest's Most Complete Sport Section

12 Full Pages of Sports Every Sunday

[fol. 1669] "Sparkling stories of today's games illustrated with stirring action photos

. . . speeded to The Sun by photophone, plane and train

"Full reports and scores of college, high school, prep and pro football

"Complete coverage of ALL fields of sport by Warren Brown and a staff of star reporters

"That's the feast of features you'll find in your CHICAGO SUNDAY SUN tomorrow

. . . and throughout the football season.

"Here's what some of America's Leading Coaches are saying about . . .

The Chicago Sun's

new, complete 12-page sports section!

"Don Faurot, University of Missouri

"'The Chicago Sunday Sun certainly covers college football from A to Z!'

"Andy Kerr, Colgate

"'Comprehensive . . . complete . . . interesting . . . attractive . . . will contribute to public morale!'

"'Bo' McMillin, University of Indiana

"'Your Sunday Sports Section is outstanding . . . a great job!'

"Lynn Waldorf, Northwestern University

"'A fine Sunday Sports Section . . . excellent picture coverage!'

"Ray Eliot, Univ. of Illinois

"'Most enterprising . . . impressive and interesting!'

[fol. 1670] "Harry Stuhldreher, University of Wisconsin

"'Shows aggressiveness and imagination!'

"'Fritz' Crisler, University of Wisconsin

"'Congratulations . . . fans certainly will await this section each week with great interest!'

"Frank Leahy, Notre Dame

"'Impressed with its all-round excellence!'

"Elmer Burnham, Purdue University

"'Considerably impressed . . . a real benefit to fans and football!'

"Eddie Anderson, University of Iowa

"'You certainly give the reader a complete football picture!'

"Lou Little, Columbia University

"'It's great! Graphic stories . . . remarkable action pictures!'

"Stub Allison, University of California
" 'Looks like top-flight sports coverage to me!'

"George Munger, University of Pennsylvania
" 'An excellent Sports Section!'

"H. R. Norton, Texas A. and M.
" 'Great for sports enthusiasts and civilian morale!'

"John Evans, University of Vermont
" 'Photographically excellent!'

"Jess Neely, Rice University
" 'Will be well received by football fans everywhere!'

"Bernie Moore, Louisiana State
" 'One of the finest I have ever seen in my life!'

"Edward Baker, Carnegie Tech.
" 'Action photos alone worth price of paper!'

"E. E. Wieman, Princeton University
" 'Congratulations . . . a great job!'

"Claude Simons, Jr., Tulane University
" 'Most complete and comprehensive sports pages I've ever seen!'

[fol. 1671] "Herbert M. Kopf, Manhattan College, N. Y.
" 'A grand job!'

"Howard Odell, Yale University
" 'Without any hesitation I say it's one of the best sport sections I have ever seen!'

"George P. Miller, Pennsylvania State Teachers
" 'Pictorially excellent!'

"Glenn Presnell, University of Nebraska
" 'Most interesting and informative!'

"Walter Holmer, Boston University
" 'The most complete national coverage I've ever seen!'

"Charles Justice, University of New Hampshire
" 'Truly one of the finest sport sections I have seen!'

"E. L. Romney, Utah Aggies

"'Very thorough and of a national character!'

"Thanks, you men of football! Coming from you comments like these are high praises indeed.

"And it's the kind of praise thousands of Chicago Sun readers are giving the Midwest's newest, largest Sports Section.

"Make this test tomorrow . . . get yourself a Sunday Sun . . . pluck out that BIG, 12-page Sports Section . . . then settle down in your easy chair. You'll find it's just like having been on the 50-yard line of every one of today's important football games.

"You'll get machine-gun action pictures—diagrammed pictures . . . pictures sent by Photophone with the speed of light . . . and pictures that have been put aboard fast planes and trains seconds before departure. Scores? Sure! from Maine to California . . . from Canada to the Gulf! And stories from continent-covering wire services and from one of America's top-flight sports staffs headed up by Editor Warren Brown.

[fol. 1672] "So for a sure winner in the football field, pick that BIG, action-packed, 12-page Sports Section found in tomorrow's . . .

"Chicago Sunday Sun"

October 29, 1942.

"it's REALLY going over

"Sports fans, coaches and players agree that The Chicago Sunday Sun's 12-page Sports Section is not only the biggest but that it's the best in the Middle West. Packed with pictures, it presents a veritable panorama of the preceding day's games.

"Vivid reports and sparkling stories on college, prep school, high school and pro football bring you complete information about all the exciting gridiron battles. Hunting, racing, cycling and every other seasonal sport is thoroughly covered in this outstanding Section edited by Warren Brown and produced by his staff of star reporters, writers and photographers. You'll under-

stand why it's going over—going over BIG—when you read the

"Chicago Sunday Sun

"Big 12-page Sports Section"

November 3, 1942.

"Speaking of the Chicago Sun's 12-page Sunday Sports Section . . .

"Ray Eliot, Head Coach, University of Illinois, says:

"'Your Twelve Page Sunday Sports Section is most enterprising, impressive and interesting.'

"Want a '50-yard-line view' of Saturday's important coast-to-coast football games?

"Then turn to the new 12-page Sports Section in Sunday's Chicago Sunday Sun . . . crammed with action pictures . . . brimming with scores and stories. [fol. 1673] "It's acclaimed by coaches from coast to coast and being read by thousands of news readers every week:

"Read Next Sunday's

"Chicago Sunday Sun."

November 7, 1942.

"Hot Off the Gridiron,"

" . . . and Mighty Easy to Digest.

"The BIG 12-page Sports Section of The Chicago Sunday Sun brings you a complete feast of sports fare while it's still sizzling . . .

Reports and action pictures of Saturday's battles on prep, high school, college and pro gridirons are speeded to The Sun by phone, telegraph, plane and train for your enjoyment Sunday.

Zesty comments and sidelights by Warren Brown and his staff of experts top off a menu that fans, coaches and players agree is the finest in the Midwest.

"Place your order NOW for this tasty treat tomorrow—it is served only in the . . .

"12 Page Sports Section Chicago Sunday Sun."

November 20, 1942.

Ad—Photograph

"Agreeing with hundreds of other coaches from coast-to-coast,

"Frank Leahy, Notre Dame head coach, has this to say about the Chicago Sun's new 12-page Sports Section . . . 'Impressed with its all-around excellence!'

Make this test Sunday . . . get Yourself a Chicago Sunday Sun . . . pluck out that BIG, 12-page Sports Section . . . then settle down in your easy chair. You'll find it's just like having been on the 50-yard [fol. 1674] line of every one of Saturday's important football games from coast-to-coast!

"Have your newsdealer reserve a copy of Sunday's

"Chicago Sunday Sun."

November 21, 1942.

Action!

In Print and Pictures

Today's exciting games will practically be re-played for you tomorrow in the BIG 12-page Sports Section of The Sunday Sun. Thrilling accounts of the plays will be supplemented with caught-in-action pictures—pictures taken with machine-gun cameras—pictures of prep, high school, college and pro battles. You'll find the entire field of current sports thoroughly covered in this, the Midwest's largest Sports Section that has won the acclaim of fans, coaches, players. Read and enjoy it tomorrow.

Chicago Sunday Sun
Big 12-Page Sports Section

January 2, 1943.

"Sports Pages

"Best in the Middle West! That's what the best coaches in the Middle West say, and they should know. Moreover, Sun readers agree with them. Particularly outstanding though are these 2 features.

"So They Tell Me . . . by the Middle West's best known and best liked toastmaster, m.c., speechmaker, sports columnist, editor and father confessor in the world of sport—Warren Brown. Read him now on the first page of the Sports Section. And—

"Here We Go Again . . . by the inimitable Jimmy Kearns . . . who gets almost as much fan mail as a movie star. Get a load of Kearns today!

[fol. 1675] AFFIDAVIT OF THOMAS FURLONG

STATE OF ILLINOIS,
County of Cook, ss:

THOMAS FURLNG, being first duly sworn on oath, deposes and says:

1. I am and have been since 1939 the financial editor of the Chicago Tribune. From 1931 to 1939 I was assistant financial editor of the Chicago Tribune and I have constantly been employed in the same department of the same newspaper since 1928.

2. I have had submitted to me and I have read the affidavit of Otto M. Smucker, financial editor of the Chicago Sun. Many of the statements of Mr. Smucker set forth in such affidavit are wholly erroneous and many other statements give rise to false inferences for the reasons hereinafter set forth.

3. The Smucker affidavit lists 15 news items concerning corporate earnings and corporate reports appearing in the Chicago Tribune during the period February 3, 1942 to and including March 27, 1943. Mr. Smucker does not state but concludes that the Chicago Tribune printed these stories from AP news reports because he states these were the type of stories published by the Chicago Herald and Examiner from such reports without, however, giving credit to AP. The following are the facts: I am positive that substantially all of the fifteen enumerated stories published by the Tribune were written by the Tribune's own staff and based upon information obtained from sources other than AP news reports. It is impossible at this time to check the precise sources from which the information was ob-

tained. The Tribune, however, uses whenever possible the primary source of information of such news namely, [fol. 1676] the statements of the corporations themselves rather than AP reports. The Chicago Tribune prefers to use such primary source of information because it is thereby assured of obtaining the full and complete report of the corporation and because the Tribune in most instances receives the corporation report prior to the time it is carried. I have analyzed for an extended period the sources of our information upon which news stories of corporation earnings are published in the Chicago Tribune and I find that in excess of 90% of such stories the Chicago Tribune obtains its information from sources other than the Associated Press. In order to assure itself of news from this primary source, the Chicago Tribune has had itself placed upon the mailing list of such corporations. It continually checks with such corporations to be certain that it receives all financial reports. The Chicago Sun had available to it the same sources of information with respect to these stories as the Tribune.

The Smucker affidavit on pages 3 to 5 lists eleven stories which the affidavit asserts were printed in the Chicago Tribune and were expressly credited to the Associated Press. The affidavit further states that none of them were supplied by UP to the Sun until after they had been published in the Tribune. The following are the facts with respect to these stories:

(a) The story of August 4, 1942 of the filing of a suit in Washington against Middle West Utilities Company was written by the Chicago Tribune upon the basis of information obtained by its own efforts.

(b) The five stories published by the Chicago Tribune during the period January 31, 1941 to and including June 6, 1942 concerning action taken by the Securities and Exchange Commission. These stories are the type based upon information contained in press releases of the Commission. Such releases were avail- [fol. 1677] able to all newspapers including the New York Herald Tribune, which makes a particular point of covering SEC news for itself and its customers. The Chicago Sun subscribes to Herald-Tribune service.

(c) Three of the stories complained of refer to action taken by an executive department and two bureaus

of the government, namely, the Department of Agriculture, Office of Price Administration and the Office of Defense Transportation. These stories were developed from announcements of these governmental units and were available to all news agencies, newspapers and the Washington bureaus of newspapers including the Washington bureau of the Chicago Sun.

(d) The affidavit further complains of a story published in the Tribune concerning a hearing in the anti-trust proceeding against the Pullman Company. The Chicago Tribune prior to this hearing requested AP to give it special coverage thereon. The Chicago Sun could have obtained similar coverage by a similar request to UP or by having its own correspondent cover the hearing.

5. The Chicago Sun has on occasion published financial news which the Chicago Tribune did not receive from AP and did not obtain from other sources. On July 1, 1942 the Chicago Sun published a story reporting the action of American Can Company directors reducing the dividend rate on the common stock of that company. This announcement was not included in the AP news report. In addition the following are 17 head stories which appeared in the Chicago Sun between August 3, 1942 and November 15, 1942 concerning financial matters and which did not appear in the Chicago Tribune:

August 15, 1942	Standard Gas cites obstacles to breakup.
August 16, 1942	Wm. H. Duff refuses to reveal facts at hearing on Puget Sound P. & L.

[fol. 1678]

August 19, 1942	Individuals' gross savings 9 billion.
August 22, 1942	Penn road presents 47 m. bill against Pennsy.
August 29, 1942	SEC approval of Columbia G&E termed a whitewash.
September 9, 1942	New England textile mills ask bank loans.
September 15, 1942	Expect new rule requiring annual statements from dealers.

September 15, 1942	S. W. Pub. Service Co. tells offer price.
September 17, 1942	Tells Eng. Pub. Ser. to divest itself of 8 subsidiaries.
September 18, 1942	SEC answers United Gas Improv. suit.
September 24, 1942	United Corp. asks change in status.
October 1, 1942	Niagara Power seeks to avoid death sent.
October 9, 1942	United Corp. says SEC twists facts.
October 23, 1942	Lone Star Gas Plan ordered amended.
November 9, 1942	SEC says reports must show insiders' debts.
November 15, 1942	Sees inflation menace in big cash holdings.
November 15, 1942	Illinois Traction plan filed.

6. Dow-Jones service originates much financial and business news not carried by the AP, UP or INS. The Chicago Tribune has been a subscriber to the Dow-Jones service for many years. So far as I know every metropolitan daily [fol. 1679] newspaper with a financial section subscribes to Dow-Jones or some similar service.

7. The Chicago Tribune has available to it for financial news the following news services: AP, the New York Times News Service and Dow-Jones. The Chicago Sun has available to it for such news the following news services: UP, New York Herald-Tribune News Service and Dow-Jones. I know that there is not enough difference between the financial news furnished by such services to the Chicago Tribune and to the Chicago Sun to make any material difference in the publication of a financial page, provided, of course, the news so furnished is intelligently, promptly, and efficiently handled and supplemented by the news gathering resources of the newspapers.

8. The Chicago Tribune receives a lengthy query from its New York bureau each night on stories appearing in the New York Times and from this source receives many important news items that are not furnished by AP, as a

matter of routine service or which the Chicago Tribune prefers to stories of AP on the same subject matter.

(Sgd.) Thomas R. Furlong.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Sgd.) Otto F. Meyers, Notary Public.

[fol. 1680] AFFIDAVIT OF W. L. AYRES

STATE OF ILLINOIS,
County of Cook, ss:

W. L. Ayers, being first duly sworn, deposes and says:

I am and have been Managing Editor of the Chicago Journal of Commerce since November 1, 1935. I have been continuously associated with the Journal of Commerce since December 1, 1934; from December 1, 1934, to November 1, 1935, I was financial editor. From October 14, 1920, the date of the establishment of the Chicago Journal of Commerce, until 1928 I was associated with that paper and in the last four years of this period I was associated in the capacity of financial editor. From 1928 to 1934 I was doing publicity work in my own business.

The Chicago Journal of Commerce is a daily newspaper in the English language which specializes in business and financial news. At the present time it receives Associated Press news service, having commenced the Associated Press service on July 1, 1942. It is also a subscriber at the present time of the United Press service, including the financial service. It is also a subscriber of the Dow-Jones service. Until about January 10, 1942, the Chicago Journal of Commerce had been a subscriber of the New York Herald Tribune news service. The Chicago Journal of Commerce had been taking this service from the New York Herald Tribune and from the predecessor of the New York Herald Tribune, the New York Herald, since 1922, the contract with the New York Herald Tribune providing for a sixty-day cancellation notice. Approximately sixty days prior to January 10, 1942, the Chicago Journal of Commerce received a notice from the New York Herald Tribune that it exercised its option to cancel its service to the Chicago Journal of Commerce, and this affiant was personally told by representa-

[fol. 1681] tives of the New York Herald Tribune that the

New York Herald Tribune had executed a contract calling for delivery of its service to the Chicago Sun which had not yet then commenced publication; that the contract was for a very satisfactory price; that the service to the Chicago Sun had to be exclusive for Chicago; and that the New York Herald Tribune would be unable to serve the Chicago Journal of Commerce after the sixty-day cancellation period had expired. On or about January 10, 1942, the New York Herald Tribune ceased serving the Chicago Journal of Commerce and in its stead the Chicago Sun received the New York Herald Tribune service. Six months later the Chicago Journal of Commerce began receiving the news service of The Asociated Press and has since that time used Associated Press news service. In the opinion of this affiant the New York Herald Tribune is the equal of and many times gives a better service than The Associated Press on financial news out of New York. One of the principal sources of news of interest to readers of financial newspapers is the Securities Exchange Commission. In the opinion of this affiant, the New York Herald Tribune for a long period maintained a superior coverage of news from the Securities Exchange Commission.

In the publication of a financial newspaper or of a financial section of a metropolitan paper one of the most important elements is the stock and bond market quotations. The Chicago Journal of Commerce had been receiving these quotations from the United Press under a contract which would not expire until October 1, 1943. The contract was entered into before the Chicago Journal of Commerce obtained the Associated Press service, at which time the Associated Press financial service became available to it if it desired to use this service. The financial services of both Associated Press and United Press are extra and in addition to their general news services, and for which an [fol. 1682] additional charge is made. In view of the availability of the Associated Press financial service, under the supervision of the affiant, a survey was made by the Chicago Journal of Commerce to compare the merits of the two financial news and quotation services. A detailed analysis was made of the stock market quotations of the Associated Press as they appear in the Chicago Tribune and a survey made of the financial news carried along with quotations by United Press. This check revealed the fact that the United Press report was fully as accurate as

the Associated Press report and as such quotations appeared in the Chicago Tribune were more accurate. The survey showed that the United Press financial news reports were in some ways better than the Associated Press reports for a financial newspaper. On the basis of this survey, the Chicago Journal of Commerce entered into a contract with the United Press Association, to be effective July 5, 1943, renewing its financial service, and did so in spite of the fact that United Press financial service was more expensive than the Associated Press financial service.

The Chicago Journal of Commerce is a subscriber of the Dow-Jones service. In the opinion of this affiant, no metropolitan newspaper can get out a satisfactory financial page without the Dow-Jones service. The information received through this service is more extensive and more valuable for this type of news than that received on the financial wires of either Associated Press or United Press. It is understood by this affiant that nearly all metropolitan newspapers are subscribers to this service, whether or not they receive the Associated Press, United Press or International News Service services wherever they attempt to fully cover financial news and such service is available.

I have read the affidavit signed by Otto M. Smucker, dated May 7, 1943, and have noted the stories which he [fol. 1683] states were not furnished by United Press to The Chicago Sun or which were furnished after publication in The Chicago Tribune. All of the various stories concerning earnings mentioned in his affidavit were published in the Chicago Journal of Commerce on the same day they were published in the Chicago Tribune and with one exception all of them were published during the period when the Chicago Journal of Commerce did not have Associated Press service. In general, these stories were more extensive than the stories which appeared in the Chicago Tribune to which the Smucker affidavit refers.

No newspaper can look to one service and one source alone for its financial news. One source of news is the direct company contact. Another is the Dow-Jones service, and another is the correspondent query system, all in addition to the national wire services. Neither the Associated Press nor the United Press can be depended upon to cover financial stories completely and lengthily. As to the earnings stories mentioned in the Smucker affidavit, with respect to the 1941 earnings of Republic Steel, Curtiss Wright

and Eastman Kodak, none of the wire services carried an income account and balance sheet which the Chicago Journal of Commerce published as a part of its story. The source of this news was the company itself and not either of the press services. The Smucker affidavit mentioned stories from the Securities Exchange Commission. These stories appeared in the Chicago Journal of Commerce at a time when it did not have the Associated Press service. It is difficult at this late date to trace the source of each one of the stories mentioned in the Smucker affidavit. However, the United Light, Commonwealth and Southern, and North American stories were all received from the New York Times. These stories should have been available to the Chicago Sun through the New York Herald Tribune, [fol. 1684] which was the source of such stories for the Chicago Journal of Commerce prior to the date the Chicago Sun deprived the Chicago Journal of Commerce of this service. In any event, these services would have been available to the New York Bureau of The Chicago Sun. The United Corporation's story on June 6 was received by the Chicago Journal of Commerce from a special correspondent. The story of July 22nd on butter buying prices was received from our Washington Bureau. It was based on a handout which would have been available to the Washington Bureau of the Sun. The June 21st story on the cut in prices on beef was also based on a handout in Washington and was received as routine from our Washington Bureau. The July 24th story on the cut in truck mileage was based on a handout, although we used the Associated Press story on it. The March 29th story on Lockheed Aircraft Corporation was based on a story we received from the Los Angeles Times news service. On financial news received from the west coast the Los Angeles Times furnishes a more reliable and complete service than the Associated Press, which is not well qualified to handle financial news on the west coast. The story of August 4th concerning the Middle West Utilities suit did not appear in the Chicago Journal of Commerce; this was not an Associated Press story; it was a Chicago Tribune exclusive story which was not available to other papers. The February 2, 1943, story concerning the Pullman Company did not appear in the Chicago Journal of Commerce; if we had had the story it is doubtful if we would have run it as it is merely a routine piece of news.

Even with the Associated Press, Dow-Jones and United Press services, we feel it is absolutely necessary to maintain our Washington Bureau. We have two persons working regularly as news reporters and writers in the Washington Bureau and we have our own telegraph wire to [fol. 1685] Washington. We are adding a third member to the staff. No metropolitan newspaper attempting to cover business and financial news can depend on the wire services for complete Washington coverage, nor can any metropolitan newspaper attempting to cover business and financial news look to either the Associated Press and United Press for complete coverage of financial news in general.

Every metropolitan newspaper attempting to cover financial news should install a Dow-Jones ticker. If a Chicago metropolitan paper did not have the Dow-Jones financial news service it would have to have anywhere from two to five more reporters on its financial staff in Chicago and probably more outside, particularly in Wall Street. The Dow-Jones service represents a saving on financial routine. At no time in my thirty years' experience have I known Associated Press or United Press or International News Service, or any other wire service, to furnish a sufficiently adequate financial news service to eliminate the Dow-Jones ticker. The reason why the Associated Press or any other national press service could not possibly justify a complete financial news service is that only the larger papers of the country have ever attempted to carry financial pages. Financial and business news represents a distinctly specialized type of newspaper coverage.

(Sgd.) W. L. Ayers.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Sgd.) L. V. Piekal, Notary Public.

[fol. 1686] AFFIDAVIT OF ROBERT P. VANDERPOEL

STATE OF ILLINOIS,
County of Cook, ss:

Robert P. Vanderpoel, being first duly sworn, deposes and says:

I am and have been since 1929 financial editor of the Chicago Herald-American and of its predecessor, the Chicago Evening American. Before that I was the financial editor of the Chicago Daily Journal for nine years. The Chicago Herald-American subscribes to the Associated Press financial reports and has the Dow-Jones ticker. A metropolitan newspaper, irrespective of whatever financial service it may have, finds it practically necessary to have the Dow-Jones ticker. The Dow-Jones service is vastly more extensive than the Associated Press financial service. Besides receiving reports from these two news services the Herald-American receives the financial statements, dividend notices, sales reports and other information directly, either by mail, telephone or telegraph. These are frequently received in advance along with a specific release date. These statements are received as a courtesy from the various corporations and are available to any newspaper upon request.

I have supervised a check which has been made in my department of the sources of news reports on corporate earnings, dividends, sales, and other related information, for a one-week period covering week days only. This survey showed that we received the following stories from [fol. 1687] the two news associations and original corporation statements as follows:

1943	AP Stories	Dow-Jones Stories	Original Corporation Statements
June 5	7	36	7
June 7	7	36	3
June 8	7	28	7
June 9	2	39	7
June 10	2	48	0
June 11	2	76	7

I have read the affidavit of Otto M. Smucker, dated May 7, 1943, and referring to the list of 15 stories concerning

corporation financial reports which Mr. Smucker says appeared in the Chicago Tribune and were not furnished to The Chicago Sun by United Press in time for publication, it is difficult at this late date to determine the exact source of the stories which appeared in the Chicago Herald-American concerning these financial reports. However, a check of our files reveals that we received, direct from the corporations, in time for publication, the full financial reports concerning the following mentioned stories:

February 3, 1942—E. I. duPont de Nemours & Co.
February 6, 1942—Republic Steel Corporation
February 7, 1942—Johns-Manville Corporation
March 1, 1942—Standard Brands, Inc.
March 12, 1942—Eastman Kodak
May 11, 1942—Celanese Corporation
July 21, 1942—General Electric
July 31, 1942—United States Rubber Company
March 27, 1943—Glenn L. Martin Aircraft Company

Most of the remaining stories referred to by Mr. Smucker are of the type that represent "handouts" from various government offices. These may readily be attained through a newspaper's own Washington Bureau. Generally, also, they are carried on the Dow-Jones ticker, frequently in [fol. 1688] more detail than by the Associated Press. The Chicago Herald-American sometimes is scooped by the Chicago Daily News on financial stories carried by the United Press and not carried by the Associated Press or the International News Service. On the other hand, we similarly are able to scoop the Daily News with stories carried by International News Service and not handled by Associated Press or United Press.

(Sgd.) Robert P. Vanderpoel.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Sgd.) Patricia Page, Notary Public.

[fol. 1689] AFFIDAVIT OF EINAR C. CHRISTENSEN

STATE OF ILLINOIS,
County of Cook, ss:

Einar C. Christensen, being first duly sworn on oath deposes and says:

1. I am a certified public accountant and a member of the American Institute of Accountants. I am now and have been since 1933 a partner in the firm of Price, Waterhouse & Co. and am now in charge of the Chicago office. From 1917 to 1933 I was employed by the same firm in various capacities.

2. I have had submitted to me and I have read the affidavits of Marshall Field, publisher and owner of the Chicago Sun, and John J. Padulo, Comptroller of the Chicago Sun, heretofore filed in this case. The following statements are made in the Field affidavit:

> "From the figures furnished to me in the affidavit of John J. Padulo, it appears that during the year 1942: the charges incurred by The Sun under the United Press contracts came to within a few hundred dollars of $110,000; the charges paid for photographic news—not including expenses in connection with photographs made by the Chicago photographic department of The Sun—exceeded $63,000. In addition to these items, The Sun in the year 1942 paid for news services, extra services, bureaus, correspondents, and other expenditures detailed in the affidavit of Mr. Padulo, a sum in excess of $425,000. Some of these expenditures would have been incurred whether or not AP services had been available to The Sun but a major part of these expenditures could have been dispensed with if The Sun had been able to procure the services of AP."

[fol. 1690] The Padulo affidavit breaks down the sums mentioned in the foregoing excerpt as follows:

Payments to the United Press Associations for the calendar year 1942	$109,725.32
Expense of photographic news (exclusive of expenses in connection with photo-	

graphs made by the Chicago Sun Photographic Department):		
Photographic services	$ 16,808.99	
Photographs purchased	15,868.76	
Washington Bureau (Photographic)	24,934.89	
Los Angeles Bureau (Photographic)	5,793.19	63,405.83
Other expenses:		
News services	$253,722.63	
Less—United Press Associations membership	109,725.32	
	$143,997.31	
Other expenses	24,535.28	
Washington Bureau (other than photographic)	100,660.48	
New York Bureau (other than photographic)	23,888.61	
Los Angeles Bureau (other than photographic)	8,194.98	
San Francisco Bureau	958.38	
Roving and foreign correspondents	122,896.32	
		$425,131.36

3. I do not know the portion of the expenses set forth in the Padulo affidavit which would not have been incurred [fol. 1691] had the Chicago Sun been a member of The Associated Press during the year 1942. On the basis of the Field affidavit, interpreting "a major part" to mean 51% of such expenses, then the expenses so incurred by the Chicago Sun would have been $389,948.14 computed as follows:

Payments to United Press Associations for the calendar year 1942		$109,725.32
Expenses of photographic news (exclusive of expenses in connection with photographs made by the Chicago Sun Photographic Department)		63,405.83
51% of other expenses totaling	$425,131.36	216,816.99
Total		$389,948.14

4. The Associated Press has advised that the regular assessment for each of three morning papers in Chicago would be $999.75 weekly under present conditions if two of such newsappers used the Associated Press Wire Photo Service in addition to AP news service. The Chicago Sun would therefore have paid in the year 1942 the sum of approximately $52,000 for Associated Press service.

5. Upon the basis of the Field and Padulo affidavits and interpreting the phrase, "a major part" as meaning 51%, the Chicago Sun would have saved in the year 1942, had it been a member of The Associated Press, the sum of approximately $338,000 per year.

6. The saving of approximately $338,000 is one proper and reasonable factor in measuring the value of an AP membership to the Chicago Sun. The value would be computed by determining the present value of the saving over the period of years such savings might reasonably be expected to continue. In its usual form this determination involves a capitalization or discounted valuation of the prospective income (saving in expenses in this situation) [fol. 1692] derivable from the AP membership by continuous exploitation rather than by resale. In such computation it would be reasonable to capitalize such savings at the rate of 15%. On this basis such value would be 6⅔ times $338,000 or approximately $2,250,000.

7. If it be assumed that the maximum savings of the Chicago Sun would be the cost of United Press services and the Chicago Sun's expense of photographic news over and above the amount which that newspaper would have paid as a member of The Associated Press, then the saving would be approximately $120,000. On this basis the value, determined in accordance with the method above set forth, would be 6⅔ times $120,000, or approximately $800,000.

(signed) Einar C. Christensen.

Subscribed and sworn to before me this 19th day of June, A. D. 1943. (Signed) Anne Chandler, Notary Public. (Notarial Seal.)

[fol. 1693] AFFIDAVIT OF N. S. MACNEISH

STATE OF NEW YORK,
County of New York, ss:

N. S. Macneish, being duly sworn, deposes and says:

That he is Vice-President and Assistant Secretary of the New York World-Telegram Corporation, that the following facts are true as he verily believes:

I have previously made affidavit in this matter with respect to certain transactions between Consolidated Newspaper Corp. and News Syndicate Co., Inc., The New York World-Telegram Corp. and News Syndicate Co. Inc.

Further in connection therewith: At no time to my knowledge while the Consolidated Newspaper Corp. had any connection with The New York Repository were any bona fide offer or offers made to The New York Repository for the Associated Press membership.

To my knowledge no officer of the Consolidated Newspaper Corp. nor anyone else informed any officer, agent, or employe of the Associated Press of the terms of the contract entered into between the Consolidated Newspaper Corp. and the News Syndicate Co. Inc. dated July 16, 1931, or the terms of the contract between the New York World-Telegram Corp. and News Syndicate Co., Inc. dated February 7, 1933, nor to my knowledge was the Associated Press informed that the New York Repository Co. was going to stop paying weekly assessments.

The acquisition of the New York Morning World and the New York Evening World by the New York Telegram and the organization of the New York Repository Corp. and the purchase of some of its stock by the News Syndicate Co. Inc. was all done, as far as I know, without the [fol. 1694] knowledge or consent of the Associated Press or any of its officers, agents or employes.

(Sgd.) N. S. Macneish.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Sgd.) Arthur M. Lunz, Notary Public. Notary Public, Queens Co. No. 3554, Reg. No. 215-L-5 Cert. filed in N. Y. Co. Clks. No. 883, Reg. No. 522-L-5. Commission expires March 30, 1945. (Seal.)

[fol. 1695] AFFIDAVIT OF ROY C. HOLLISS

STATE OF NEW YORK,
County of New York, ss:

Roy C. Holliss, being first duly sworn, deposes and says:

That he is the General Manager of the New York News, a newspaper published in the City of New York and owned by the News Syndicate Co. Inc., and has been General Manager since 1932, and prior thereto he was for many years Assistant General Manager; that he is familiar with the business affairs of the News Syndicate Co. Inc. and with the contractual relations of that corporation with other newspaper publishers; that he is also a Director of the News Syndicate Co. Inc., and that in 1931 he acted on behalf of the News Syndicate Co. Inc. when it purchased from the Consolidated Newspaper Corporation (whose name was later changed to New York World-Telegram Corporation), of which Roy W. Howard was President, one half of the capital stock of the New York Repository Corporation and agreed by contract with the Consolidated Newspaper Corporation, which owned the other half of the stock of the New York Repository Corporation, that efforts should be made to sell said Repository and its Associated Press Membership.

In 1933 the News Syndicate Co. Inc. purchased from the New York World Telegram Corporation the remaining stock which it owned in the New York Repository Corporation, thus becoming the sole owner of all the capital stock of the New York Repository Corporation.

The New York Repository Corporation had from the time it was organized and up until the time it was liquidated published a token newspaper and kept alive its membership in The Associated Press. Efforts were made [fol. 1696] to sell this membership but no offer was received by the New York Repository Corporation or the News Syndicate Co. Inc., or by any of their officers or agents; and no offer was made to affiant. If an offer had been made, affiant is positive he would have learned of it.

After the News Syndicate Co. Inc. became the owner of all the stock of the New York Repository Corporation, it ceased to pay the assessments of the New York Repository Corporation to The Associated Press and the New York Repository Corporation's membership was allowed to lapse

because the New York Repository Corporation was unable to sell its membership in The Associated Press.

At no time did affiant ever have any conversation with any of the officers, agents or directors of The Associated Press concerning the purchase of the stock in the New York Repository Corporation by the News Syndicate Co. Inc., nor did he at any time talk with any of them or convey to them the information that News Syndicate Co. Inc. was going to allow the membership to lapse.

As far as affiant knows, Colonel Robert R. McCormick of the Chicago Tribune knew nothing about the purchase of the stock in the New York Repository Corporation by the News Syndicate Co. Inc.

(Sgd.) Roy C. Holliss.

Subscribed and sworn to before me this 17th day of June, A. D. 1943. Frances Kudirka, Notary Public. Notary Public, New York County. New York County Clerk's No. 217. New York County Register's No. 28-K-5. Commission expires March 30, 1945. (Seal.)

[fol. 1697] AFFIDAVIT OF W. J. BYRNES

STATE OF ILLINOIS,
County of Cook, ss:

W. J. BYRNES, being first duly sworn, deposes and says:

1. I am and have been since 1929 manager of the Business Survey Department of the Chicago Tribune. This department in addition to other work makes factual statistical studies based upon research of pertinent sources of information including government publications, trade journals and periodicals, studies of private corporations, and information contained in the files of the Chicago Tribune. I actively supervise the staff of the Business Survey Department in the making of such surveys.

2. The Business Survey Department has made a compilation of daily newspapers published in the states of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, South Dakota, and Wisconsin. This compilation shows, in addition to other facts, the total circulation and the city and retail trading zone circulation of each news-

paper listed, the press services used by each newspaper, and the circulation of the Chicago Tribune in the city and county wherein each such newspaper is published. A statement of the source of the data used in this compilation is attached thereto. A copy of the compilation will be filed with this affidavit and marked "Chicago Tribune Business Survey Exhibit A."

3. The Business Survey Department has also prepared a map which shows the cities and towns located in the states above mentioned wherein newspapers are published which use the news services of AP, UP, and INS. The map does not show, however, the number of newspapers published in such cities and towns using such services. The [fol. 1698] map is made upon the basis of the information set forth in Exhibit A. A copy of the map will be filed with this affidavit and marked "Chicago Tribune Business Survey Exhibit B."

4. The same department has made an analysis of the news and editorial content published in the Chicago Tribune and the Chicago Sun in the months of March and October, 1942. This analysis was prepared by a comparison of all of the news and editorial content published in the final editions of the two newspapers for all days, including Sundays, in such months. A copy of this analysis will be filed with this affidavit and marked "Chicago Tribune Business Survey Exhibit C."

5. Finally, the Business Survey Department has compiled a statement of certain newspapers published in certain cities showing the news services used by each newspaper and their respective circulation and advertising linage for each of the years 1938 to and including 1942. A copy of this compilation will be filed with this affidavit and marked "Chicago Tribune Business Survey, Exhibit D."

(Sgd.) W. J. Byrnes.

Subscribed and sworn to before me this 18th day of June, A. D. 1943. (Sgd.) Anne Chandler, Notary Notary Public.

[fol. 1699] Chicago Tribune Business Survey

EXHIBIT A

"Circulation of Midwest Daily Newspapers"

This exhibit is printed starting at side fol. 1721.

[fol. 1700] Chicago Tribune Business Survey

EXHIBIT B

[Omitted in printing]

{fol. 1701} CHICAGO TRIBUNE BUSINESS SURVEY—EXHIBIT C

(A)

RECAPITULATION

Volumes and percentages of Associated Press and United Press news and editorial content—Items and linage by kind of content

Tribune and Sun—March 1942

	Associated Press				United Press			
	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	%
Foreign	831	36 6	65,581	41 9	438	23 3	44,401	35
Washington	237	10 4	21,616	13 8	130	6 9	8,254	6
Domestic	318	14 0	17,922	11 4	311	16 5	18,390	14
State	34	1 5	1,355	9	25	1 3	1,601	1
Local								
Hollywood	4	2	179	1	50	2 7	4,248	3
Financial	337	14 8	18,777	12 0	496	26 3	25,853	20
Sports	510	22 5	31,113	19 9	434	23 0	20,872	16
	2,271	100 0	156,543	100 0	1,884	100 0	123,619	100

(B)

RECAPITULATION

Volumes and percentages of Associated Press and United Press news and editorial content—Items and linage by kind of content

Tribune and Sun—October 1942

	Associated Press				United Press			
	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	
Foreign	703	34 9	51,373	37 7	482	26 8	44,555	34
Washington	240	11 9	22,757	16 6	149	8 3	11,935	9
Domestic	368	18 3	23,553	17 1	331	18 4	19,515	15
State	48	2 4	1,696	1 2	28	1 5	1,632	1
Local								
Hollywood	3	2	225	2	26	1 4	3,099	2
Financial	321	15 9	16,860	12 3	439	24 4	27,326	21
Sports	330	16 4	20,431	14 9	346	19 2	22,059	16
	2,013	100 0	137,395	100 0	1,801	100 0	130,121	100

[fol. 1702]

(C)

RECAPITULATION

Volumes and percentages of Total news and editorial content—Items and linage by kind of content

Tribune and Sun—March 1942

	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	%
Foreign	1,037	7 5	86,312	5 2	598	4 2	68,313	3.6
Washington	485	3.5	73,348	4 4	574	4 0	76,467	4.0
Domestic	645	4 6	49,220	2 9	532	3.7	36,061	1.9
State	126	9	9,027	.5	94	.7	10,291	.5
Local	1,683	12 2	129,237	7 7	1,570	10 9	167,894	8.8
Hollywood	50	4	9,451	.6	176	1 2	14,609	.8
Financial	1,855	13 4	180,854	10 8	2,222	15 5	250,681	13.1
Sports	1,610	11 6	149,785	9 0	2,120	14 8	174,452	9.1
Editorials	133	1 0	19,566	1 2	157	1 1	25,482	1.3
Cartoons	102	7	34,756	2 1	122	.8	32,782	1.7
Comics	531	3 8	212,603	12 7	477	3 3	257,310	13.4
Maps	111	8	32,464	1 9	61	4	15,927	.8
Photographs	2,544	18 4	279,717	16 7	2,095	14 6	304,621	15.9
Line Drawings	369	2 7	41,381	2 5	281	2 0	25,565	1.3
Society	287	2 0	26,300	1 6	403	2 8	39,066	2.0
Features	2,279	16 4	338,345	20 2	2,880	20 0	415,333	21 8
Total	13,847	100 0	1,672,266	100.0	14,362	100 0	1,914,854	100.0

(D)

RECAPITULATION

Volumes and percentages of Total news and editorial content—Items and linage by kind of content

Tribune and Sun—October 1942

	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	%
Foreign	938	6 7	77,629	4 7	664	5 0	72,574	4 0
Washington	474	3 4	74,006	4 5	492	3 7	67,340	3 7
Domestic	620	4 5	49,581	3 0	504	3 8	34,240	1.9
State	161	1 2	10,384	.6	100	.8	9,478	.5
Local	1,805	13 0	151,686	9 3	1,803	13 7	182,657	10.1
Hollywood	74	.5	11,205	.7	193	1 5	16,901	.9
Financial	1,796	12 9	169,686	10 4	1,797	13 6	184,306	10.2
Sports	1,692	12 2	161,854	9 9	1,908	14 4	205,292	11.3
Editorials	140	1 0	19,544	1 2	140	1 1	25,482	1.4
Cartoons	103	7	30,623	1 9	95	.7	27,384	1.5
Comics	520	3 7	188,309	11 6	435	3 3	215,898	11.9
Maps	86	.6	14,952	.9	67	.5	10,232	.6
Photographs	2,354	16 9	271,467	16 6	2,022	15 3	336,699	18.5
Line Drawings	446	3 2	35,773	2 2	220	1 7	19,555	1.1
Society	266	1 9	21,277	1 3	409	3 1	36,233	2.0
Features	2,443	17 6	346,587	21 2	2,353	17 8	369,333	20.4
Total	13,918	100 0	1,634,745	100.0	13,202	100 0	1,813,604	100.0

[fol. 1703] (E)

News and Editorial Content Published by Tribune and Sun
by Kind and Source

March 1942

	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	%
Foreign								
—Staff	145	14.0	14,645	17.0	97	16.2	18,501	27.1
—AP	831	80.1	65,581	76.0				
—UP					438	73.2	44,401	65.0
—N. Y. Times	28	2.7	3,016	3.5				
—N. Y. Her. Trib								
—Reuters					29	4.8	2,574	3.8
—Special	4	.4	266	.3				
—Other	29	2.8	2,804	3.2	34	5.8	2,837	4.1
	1 037	100.0	86,312	100.0	598	100.0	68,313	100.0
Washington								
—Staff	207	42.7	46,980	64.1	419	72.9	65,576	85.8
—AP	237	48.9	21,616	29.4				
—UP					130	22.7	8,254	10.8
—N. Y. Times								
—Special	39	8.0	4,457	6.1				
—Other	2	.4	295	.4	25	4.4	2,637	3.4
	485	100.0	73,348	100.0	574	100.0	76,467	100.0
Domestic								
—Staff	110	17.1	13,864	28.2	125	23.5	10,612	29.4
—AP	318	49.3	17,922	36.4				
—UP					311	58.5	18,390	51.0
—N. Y. Times								
—Special	215	33.3	17,110	34.7				
—Other	2	.3	324	.7	96	18.0	7,059	19.6
	645	100.0	49,220	100.0	532	100.0	36,061	100.0
State								
—Staff	32	25.4	4,290	47.5	34	36.2	4,878	47.4
—AP	34	27.0	1,355	15.0				
—UP					25	26.6	1,601	15.6
—Special	60		3,382	37.5				
—Other		47.6			35	37.2	3,812	37.0
	126	100.0	9,027	100.0	94	100.0	10,291	100.0
Local	1,683		129,237		1,570		167,894	
Hollywood								
—Staff	34	68.0	8,558	91.5	80	45.5	4,949	33.9
—AP	4	8.0	179	1.9				
—UP					50	28.4	4,248	29.1
—Special	12	24.0	614	6.6				
—Other					46	26.1	5,412	37.0
	50	100.0	9,351	100.0	176	100.0	14,609	100.0

[fol. 1704]

	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	%
Financial								
—Staff	535	28.8	57,943	32.0	927	41.7	98,081	39.5
—AP	337	18.2	18,777	10.4	496	22.3	25,853	10.3
—UP								
—Special	73	4.0	3,281	1.8				
—Other	2	.1	165	.1	25	1.2	2,150	.9
—Tables	872	47.0	95,376	52.8	738	33.2	117,314	46.8
—Charts	36	1.9	5,312	2.9	36	1.6	7,283	2.9
	1,855	100.0	180,854	100.0	2,222	100.0	250,681	100.0
Sports								
—Staff	594	36.9	77,970	52.0	966	45.6	98,603	56.5
—AP	510	31.7	31,113	20.8	434	20.5	20,872	12.0
—UP								
—Special	238	14.8	15,079	10.1	231	10.9	17,147	9.8
—Other					489	23.0	37,830	21.7
—Tables	268	16.6	25,623	17.1				
	1,610	100.0	149,785	100.0	2,120	100.0	174,452	100.0
Editorials	133	100.0	19,566	100.0	157	100.0	25,482	100.0
Cartoons								
—Staff	78	76.5	31,485	90.6	31	25.4	16,009	49.0
—Other	24	23.5	3,271	9.4	91	74.6	16,713	51.0
	102	100.0	34,756	100.0	122	100.0	32,782	100.0
Comics								
—Strips	445	83.8	196,756	92.5	428	89.7	250,520	97.4
—Panels	86	16.2	15,847	7.5	49	10.3	6,790	2.6
	531	100.0	212,603	100.0	477	100.0	257,310	100.0
Maps	111	100.0	32,464	100.0	61	100.0	15,927	100.0
Photos								
—Regular	1,513	59.5	272,128	97.3	1,578	75.3	300,022	98.5
—½ col. & smaller	1,031	40.5	7,589	2.7	517	24.7	4,599	1.5
	2,544	100.0	279,717	100.0	2,095	100.0	304,621	100.0
Line Drawings	369		41,381		281		25,565	
Society	287		26,300		403		39,066	
Features	2,279		338,345		2,880		415,333	
Grand Total	13,847		1,672,266		14,362		1,914,854	
Media Records Totals			1,692,685				1,937,995	
			1,672,266				1,914,854	
			20,419				23,141	
Average daily shortage — including Sundays			—659				—746	

[fol. 1705] (F)

News and Editorial Content Published by Tribune and Sun by Kind and by Source

October 1942

	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	
Foreign								
—Staff	199	21 2	20,888	26 9	132	19 9	24,461	3
—AP	703	75 0	51,873	66 8				
—UP					482	72 6	44,555	6
—N. Y. Times	17	1 8	1,503	2 0				
—N. Y. Her. Trib.					7	1 1	716	
—Reuters					31	4 6	2,119	
—Special	3	3	479	6				
—Other	16	1 7	2,886	3 7	12	1 8	723	
	938	100 0	77,629	100 0	664	100 0	72,574	10
Washington								
—Staff	198	41 8	47,775	64 5	336	68 3	54,835	8
—AP	240	50 6	22 757	30 7				
—UP					149	30 3	11,935	1
—N. Y. Times	1	2	127	2				
—Special	31	6 5	2,780	3 8				
—Other	4	9	367	8	7	1 4	570	
	474	100 0	74,006	100 0	492	100 0	67,340	10
Domestic								
—Staff	67	10 8	11,557	23 3	103	20 4	10,229	2
—AP	368	59 4	23,553	47 5				
—UP					331	65 7	19,515	4
—Special	175	28 2	13,052	26 3				
—Other	2	3	129	4	70	13 9	4,496	1
—N. Y. Times	8	1 3	1,209	2 5				
	620	100 0	49,581	100 0	504	100 0	34,240	10
tate								
—Staff	25	15 5	2,565	24 7	31	31 0	4,584	4
—AP	48	29 8	1,696	16 3				
—UP					28	28 0	1,632	1
—Special	88	54 7	6,123	59 0				
—Other					41	41 0	3,262	3
	161	100 0	10,384	100 0	100	100 0	9,478	10
Local	1,805		151,868		1,803		182,657	
Hollywood								
—Staff	45	60 8	9,598	85 6	70	36 3	4,215	2
—AP	3	4 1	225	2 0				
—UP					26	13 5	3,099	1
—Special	26	35 1	1,382	12 4				
—Other					97	50 2	8,777	5
	74	100 0	11,205	100 0	193	100 0	16,901	10

[fol. 1706]

	Tribune				Sun			
	Items	%	Lines	%	Items	%	Lines	%
Financial								
—Staff	522	29.1	54,222	32.0	616	34.3	62,745	34.1
—AP	321	17.9	16,860	9.9				
—UP					439	24.4	27,326	14.8
—Special	78	4.3	4,422	2.6				
—Other	1	.1	181	.1	59	3.3	3,210	1.7
—Tables	836	46.5	88,078	51.9	647	36.0	84,156	45.7
—Charts	38	2.1	5,923	3.5	36	2.0	6,869	3.7
	1,796	100.0	169,686	100.0	1,797	100.0	184,306	100.0
Sports								
—Staff	562	33.2	79,613	49.2	899	47.1	112,951	55.0
—AP	330	19.5	20,431	12.6				
—UP					346	18.1	22,059	10.8
—Special	318	18.8	18,006	11.1				
—Other					284	14.9	21,320	10.4
—Tables	482	28.5	43,804	27.1	379	19.9	48,962	23.8
	1,692	100.0	161,854	100.0	1,908	100.0	205,292	100.0
Editorials	140		19,544		140		25,482	
Cartoons								
—Staff	75	72.8	26,721	87.3	31	32.6	16,147	59.0
—Other	28	27.2	3,902	12.7	64	67.4	11,237	41.0
	103	100.0	30,623	100.0	95	100.0	27,384	100.0
Comics								
—Strips	419	80.6	172,691	91.7	390	89.7	209,180	96.9
—Panels	101	19.4	15,618	8.3	45	10.3	6,718	3.1
	520	100.0	188,309	100.0	435	100.0	215,898	100.0
Maps	86		14,952		67		10,232	
Photos								
—Regular	1,532	65.1	265,360	97.8	1,562	77.3	332,444	98.7
—½ col. & smaller	822	34.9	6,107	2.2	460	22.7	4,255	1.3
	2,354	100.0	271,467	100.0	2,022	100.0	336,699	100.0
Line Drawings	446		35,773		220		19,555	
Society	266		21,277		409		36,233	
Features	2,443		346,587		2,353		369,333	
Grand Total	13,918		1,634,745		13,202		1,813,604	
Media Record			1,668,667				1,835,215	
Grand Total Above			1,634,745				1,813,604	
			33,922				21,611	
Average Daily Shortage of Media Record Totals — including Sunday			1,094				697	

[fol. 1707] (G)

News and Editorial Content Published by Tribune and Sun
by Kind and Source

Percentages Based on Total Paper

March 1942

	Tribune				Sun			
	Items		Lines		Items		Lines	
	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total
Foreign								
—Staff	145	1.1	14,045	.9	97	.7	18,501	1.0
—AP	831	6.0	65,581	3.9	438	3.1	44,401	2.3
—UP								
—N. Y. Times	28	.2	3,016	.2	29	.2	2,574	.1
—Reuters								
—Special	4	.0	266	.0	34	.2	2,837	.2
—Other	29	.2	2,604	.2				
	1,037	7.5	86,312	5.2	598	4.2	68,313	3.6
Washington								
—Staff	207	1.5	46,980	2.8	419	2.9	65,576	3.4
—AP	237	1.7	21,616	1.3	130	.9	8,254	.4
—UP								
—Special	39	.3	4,457	.3	25	.2	2,637	.2
—Other	2	.0	295	.0				
	485	3.5	73,348	4.4	574	4.0	76,467	4.0
Domestic								
—Staff	110	.8	13,864	.8	125	.9	10,612	.6
—AP	318	2.3	17,922	1.1	311	2.2	18,390	1.0
—UP								
—Special	215	1.6	17,110	1.0	96	.6	7,059	.3
—Other	2	.0	324	.0				
	645	4.7	49,220	2.9	532	3.7	36,061	1.9
State								
—Staff	32	.2	4,290	.2	34	.2	4,878	.2
—AP	34	.2	1,355	.1	25	.2	1,601	.1
—UP								
—Special	60	.5	3,382	.2	35	.3	3,812	.2
—Other								
	126	.9	9,027	.5	94	.7	10,291	.5
Local	1,683	12.2	129,237	7.7	1,570	10.9	167,894	8.8
Hollywood								
—Staff	34	.2	8,558	.5	80	.6	4,949	.3
—AP	4	.0	179	.0	50	.3	4,248	.2
—UP								
—Special	12	.1	614	.0	46	.3	5,412	.3
—Other								
	50	.3	9,351	.5	176	1.2	14,609	.8

[fol. 1708]

	Tribune				Sun			
	Items		Lines		Items		Lines	
	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total
Financial								
—Staff	535	3.9	51,943	3.5	927	6.5	98,081	5.1
—AP	337	2.4	18,777	1.1				
—UP					496	3.4	25,853	1.4
—Special	73	.5	3,281	.2				
—Other	2		165	.0	25	.2	2,150	.1
—Tables	872	6.3	95,376	5.7	738	5.1	117,314	6.1
—Charts	36	.3	5,312	.3	36	.3	7,283	.4
	1,855	13.4	18,085	10.8	2,222	15.5	250,681	13.1
Sports								
—Staff	594	4.3	77,970	4.7	966	6.7	98,603	5.1
—AP	510	3.7	31,113	1.9				
—UP					434	3.0	20,872	1.1
—Special	238	1.7	15,079	.9				
—Other					231	1.6	17,147	.9
—Tables	268	1.9	25,623	1.5	489	3.4	37,830	2.0
	1,610	11.6	149,785	9.0	2,120	14.7	174,452	9.1
Editorials	133	.9	19,566	1.2	157	1.1	25,482	1.3
Cartoons								
—Staff	78	.5	31,485	1.9	31	.2	16,069	.8
—Other	24	.2	3,271	.2	91	.6	16,713	.9
	102	.7	34,756	2.1	122	.8	32,782	1.7
Comics								
—Strips	445	3.2	46,756	11.8	428	2.9	250,520	13.1
—Panels	86	.6	15,847	.9	49	.4	6,790	.3
	531	8.8	212,603	12.7	477	3.3	257,310	13.4
Maps	111	.8	32,464	1.9	61	.4	15,927	.8
Photos								
—Regular	1,513	10.9	272,128	16.3	1,578	11.0	300,022	15.7
—½ col. & smaller	1,031	7.5	7,589	.5	517	3.6	4,599	.2
	2,544	18.4	279,717	16.8	2,095	14.6	304,621	15.9
Line Drawings	369	2.7	41,381	2.5	281	2.0	25,565	1.3
Society	287	2.1	26,300	1.6	403	2.8	39,066	2.1
Features	2,279	16.5	338,345	20.2	2,880	20.1	415,333	21.7
Grand Total	13,847		1,672,266		14,362		1,914,854	
Media Records Totals			1,692,685				1,937,995	
			1,672,266				1,914,854	
			20,419				34,151	
Average Daily Shortage — including Sundays			—659				—746	

[fol. 1709] (H)

News and Editorial Content Published by Tribune and Sun
by Kind and by Source

Percentages Based on Total Paper

October 1942

	Tribune				Sun			
	Items		Lines		Items		Lines	
	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total
Foreign								
—Staff	199	1.4	20,888	1.3	132	1.0	24,461	1.
—AP	703	5.1	51,873	3.2	482	3.6	44,555	2.
—UP								
—N. Y. Times	17	.1	1,503	.1	7	.1	716	
—N. Y. Her. Trib					31	.2	2,119	
—Reuters								
—Special	3	.0	479	.0				
—Other	16	.1	2,886	.2	12	.1	723	
	938	6.7	77,629	4.8	664	5.0	72,574	4
Washington								
—Staff	198	1.5	47,775	2.9	336	2.5	54,835	3.
—AP	240	1.7	22,757	1.4	149	1.1	11,935	
—UP								
—N. Y. Times	1	.0	127	.0				
—Special	31	.2	2,780	.2				
—Other	4	.0	567	.0	7	.1	570	
	474	3.4	74,006	4.5	492	3.7	67,340	3
Domestic								
—Staff	67	.5	11,557	.7	103	.8	10,229	
—AP	368	2.6	23,553	1.4	331	2.5	19,515	1
—UP								
—Special	175	1.3	13,052	.8				
—Other	2	.0	129	.0	70	.5	4,496	
—N. Y. Times	8	.1	1,209	.1				
	620	4.5	49,581	3.0	504	3.8	34,240	1
State								
—Staff	25	.2	2,565	.2	31	.3	4,584	
—AP	48	.4	1,696	.1	28	.2	1,632	
—UP								
—Special	88	.6	6,123	.3	41	.3	3,262	
—Other								
	161	1.2	10,384	.6	100	.8	9,478	
Local	1,805	13.0	151,868	9.3	1,803	13.6	182,657	10
Hollywood								
—Staff	45	.3	9,598	.6	70	.5	4,215	
—AP	3	.0	225	.0	26	.2	3,099	
—UP								
—Special	26	.2	1,382	.1	97	.8	8,777	
—Other								
	74	.5	11,205	.7	193	1.5	16,901	

[fol. 1710]

	Tribune				Sun			
	Items		Lines		Items		Lines	
	No.	% of Total	No.	% of Total	No.	% of Total	No.	% of Total
Financial								
—Staff	522	3.8	54,222	3.3	616	4.7	62,745	3.5
—AP	321	2.3	16,860	1.0				
—UP					439	3.3	27,326	1.5
—Special	78	.5	4,422	.3				
—Other	1	0	181	0	59	.4	3,210	.2
—Tables	836	6.0	88,078	5.4	647	4.9	84,156	4.7
—Charts	38	.3	5,923	.4	36	.3	6,869	.3
	1,796	12.9	169,686	10.4	1,797	13.6	184,306	10.2
Sports								
—Staff	562	4.0	79,613	4.9	899	6.8	112,951	6.2
—AP	330	2.4	20,431	1.2				
—UP					346	2.6	22,059	1.2
—Special	318	2.3	18,006	1.1				
—Other					284	2.2	21,920	1.2
—Tables	482	3.4	43,804	2.7	379	2.9	48,962	2.7
	1,692	12.1	161,854	9.9	1,908	14.5	205,292	11.3
Editorials	140	11.1	19,544	1.2	140	1.1	25,482	1.4
Cartoons								
—Staff	75	.5	26,721	1.6	31	.2	16,147	.9
—Other	28	.2	3,902	.3	64	.5	11,237	.6
	103	.7	30,623	1.9	95	.7	27,384	1.5
Comics								
—Strips	419	3.0	172,691	10.5	390	3.0	209,180	11.5
—Panels	101	.7	15,618	1.0	45	.3	6,718	.4
	520	3.7	188,309	11.5	435	3.3	215,898	11.9
Maps	86	.6	14,952	.9	67	.5	10,232	.5
Photos								
—Regular	1,532	11.0	265,360	16.2	1,562	11.8	332,444	18.3
—½ col. & smaller	822	5.9	6,107	.4	460	3.5	4,255	.3
	2,354	16.9	271,467	16.6	2,022	15.3	336,699	18.6
Line Drawings	446	3.2	35,773	2.2	220	1.7	19,555	1.1
Society	266	1.9	21,277	1.3	409	3.1	36,233	2.0
Features	2,433	17.6	346,587	21.2	2,353	17.8	369,333	20.4
Grand Total	13,918		1,634,745		13,202		1,813,604	
Media Record			1,668,667				1,835,215	
Grand Total			1,634,745				1,813,604	
			33,922				21,611	
Average Daily Shortage of Media Record Totals — including Sunday			1,094				697	

[fol. 1711] CHICAGO TRIBUNE BUSINESS SURVEY—

EXHIBIT D

Source of Data

Press Services received by newspapers are for the year 1942 and are from Editor & Publisher 1942 International Year Book Number.

Advertising Linage from Media Records except for the Bronx Home News which was received from the New York News.

Circulations of Audit Bureau of Circulations member newspapers are from ABC Audit Reports as made, and are as follows: Non ABC member newspaper circulations are as of Government Statements.

Birmingham newspapers	—All ABC March 31, Audit Reports
Cincinnati newspapers	—All ABC March 31, Audit Reports
Cleveland newspapers	—All ABC March 31, Audit Reports
Columbus newspapers	—All ABC March 31, Audit Reports
Detroit newspapers	—All ABC March 31, Audit Reports
Houston newspapers	—All ABC March 31, Audit Reports
Indianapolis newspapers	—All ABC Dec. 31, Audit Reports
Los Angeles newspapers	—All ABC March 31, Audit Reports
Milwaukee newspapers	— ABC March 31, Audit Reports except for Leader and Post which are from Sept. 30, Government Statements.
Minneapolis newspapers	—All ABC Sept. 30, Audit Reports
Newark newspapers	—All ABC Dec. 31, Audit Reports
New York newspapers	—All ABC Sept. 30, Audit Reports except for Bronx Home News which are from March 31, Audit Reports
Pittsburgh newspapers	—All ABC March 31, Audit Reports
San Francisco newspapers	—All ABC Sept. 30, Audit Reports
Washington newspapers	—All ABC Sept 30, Audit Reports

[fol. 1712] BIRMINGHAM

Circulation & Linage

NEWS & AGE HERALD: Evening, Morning & Sunday: AP.

	Circulation				Total Advertising			
	Combined							
	Morning	Evening	Daily	Sunday	Morning	Evening	Sunday	Total
1938	40,167	94,330	134,497	120,470	4,486,232	7,071,384	3,205,250	14,762,866
1939	37,537	88,958	126,495	116,006	5,027,644	7,591,517	3,475,726	16,094,887
1940	38,195	94,155	132,350	122,304	5,357,3[illegible]	8,226,480	3,874,462	17,458,250
1941	42,036	101,360	143,396	131,590	5,770,847	[illegible]87,806	4,087,342	18,945,995
1942	48,536	122,730	171,266	150,643	5,632,847	[illegible]81,971	4,025,321	18,240,139

POST: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	76,809		4,439,007		
1939	68,450		4,477,455		
1940	70,663		4,644,982		
1941	74,254		3,482,380*		
1942	70,428		4,064,991		

* Post totals include linage from January through September 5, 1941 and from Dec. 22 to Dec. 31, 1941 inclusive.

CINCINNATI

Circulation & Linage

ENQUIRER: Morning: AP, UP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	118,719	199,722	4,759,913	5,110,742	9,870,655
1939	112,671	196,518	4,932,673	5,244,348	10,177,021
1940	119,699	200,037	5,098,084	5,557,499	10,655,583
1941	121,625	203,644	5,682,609	5,763,750	11,446,359
1942	127,302	211,328	5,755,971	5,509,454	11,265,425

POST: Evening: UP, SHNA.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	163,351		6,896,201		
1939	149,835		7,464,899		
1940	148,481		8,073,959		
1941	152,053		9,000,686		
1942	153,364		8,198,900		

[fol. 1713]

TIMES STAR: Evening: AP, INS, NANA.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	166,000		9,621,124		
1939	153,237		9,860,955		
1940	153,279		10,076,420		
1941	154,471		10,165,195		
1942	155,096		9,070,988		

CLEVELAND

Circulation & Linage

NEWS: Evening: AP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	122,453		6,663,725		
1939	121,022		6,627,168		
1940	124,377		7,226,561		
1941	121,282		7,078,961		
1942	125,915		6,459,839		

PLAIN DEALER: Morning & Sunday: AP, UP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	212,324	395,624	7,525,466	5,637,394	13,162,860
1939	211,082	387,719	7,755,254	6,006,758	13,762,912
1940	220,544	395,675	8,174,744	6,330,316	14,505,060
1941	224,709	398,307	7,969,823	6,359,111	14,328,934
1942	235,163	415,064	7,085,969	5,141,132	12,227,101

PRESS: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	216,678		10,986,624		
1939	217,914		11,595,677		
1940	226,875		12,090,902		
1941	232,815		12,611,128		
1942	247,899		11,809,706		

[fol. 1714] COLUMBUS

Circulation & Linage

CITIZEN: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	81,572	.....	5,920,433	262,450†	6,182,883
1939	81,952	*73,699	6,274,059	1,206,946	7,481,005
1940	90,970	88,145	6,467,586	1,351,617	7,819,203
1941	87,225	94,850	6,429,531	1,403,825	7,833,356
1942	73,470	91,020	5,430,584	1,524,258	6,954,842

* First issue 11/6/38 † Citizen and Ohio State Journal Sunday

DISPATCH: Evening: AP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	160,568	132,508	10,570,455	2,924,828	13,495,283
1939	162,268	133,928	10,697,718	2,683,017	13,380,735
1940	159,363	134,550	10,891,655	2,715,172	13,606,827
1941	153,618	139,494	10,843,077	2,874,382	13,717,459
1942	151,469	145,500	10,189,807	3,186,689	13,376,496

OHIO STATE JOURNAL: Morning: AP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	49,577		2,974,456	220,267†	3,194,723
1939	51,150		3,043,154	602,419**	3,645,573
1940	55,564		3,492,700		
1941	57,943		3,470,097		
1942	59,094		3,264,653		

† Citizen and Ohio State Journal Sunday.
** Suspended publication Sept. 4, 1939.

SUNDAY STAR: Sunday: AP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938		106,543		599,957	
1939		108,928		607,697	
1940	Star (Sat.)—	99,526		510,302—Wkly.	
1941		96,968		624,594	
1942		92,189		638,388	

Effective August 3, 1940 the Sunday Star changed to the Star and the date of issue was changed from Sunday to Saturday.

[fol. 1715]

DETROIT

Circulation & Linage

FREE PRESS: Morning & Sunday: AP, UP, CT, NYT.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	267,897	271,982	6,140,510	2,195,904	8,336,414
1939	268,779	270,048	6,917,282	2,308,127	9,225,409
1940	294,866	286,560	7,317,686	2,481,134	9,798,820
1941	316,618	305,196	7,867,397	2,501,022	10,368,419
1942	328,293	321,135	8,231,054	2,485,598	10,716,652

NEWS: Evening & Sunday: AP, UP, NANA, CDN.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	322,589	380,034	12,784,637	4,917,923	17,702,560
1939	313,779	370,595	13,748,841	5,294,345	19,043,186
1940	330,445	389,731	14,457,569	5,827,121	20,284,690
1941	349,507	419,967	15,124,233	5,977,655	21,101,888
1942	371,726	447,360	15,492,962	5,995,655	21,488,617

TIMES: Evening & Sunday: INS, UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	303,931	402,619	6,767,973	3,001,843	9,769,816
1939	290,167	397,351	7,825,493	3,437,605	11,263,098
1940	297,991	408,514	8,615,662	3,784,944	12,400,606
1941	322,808	427,073	9,486,645	3,821,302	13,307,947
1942	329,450	463,444	8,908,042	3,975,704	12,883,746

INDIANAPOLIS

Circulation & Linage

NEWS: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	150,828		9,945,997		
1939	153,749		10,903,229		
1940	157,630		11,638,074		
1941	162,633		12,315,560		
1942			11,055,681		

(*) Dec. 31, 1942 Audit Reports not available.

[fol. 1716]

STAR: Morning & Sunday: AP, UP, NANA.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	169,474	170,260	6,906,048	3,972,482	10,878,530
1939	125,877	175,799	7,182,512	4,290,133	11,472,645
1940	129,424	181,806	7,869,546	4,501,377	12,370,923
1941	132,502	178,952	8,496,352	4,744,437	13,240,789
1942	*	*	7,874,725	4,550,823	12,325,548

TIMES: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	84,951		6,535,091		
1939	86,943		7,437,241		
1940	89,408		7,613,150		
1941	92,447		8,489,986		
1942	*		7,736,064		

(*) Dec. 31, 1942, Audit Reports not available.

LOS ANGELES

Circulation & Linage

EXAMINER: Morning & Sunday: AP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	201,920	549,494	9,210,831	3,982,755	13,193,586
1939	210,848	551,525	8,171,882	5,117,348	13,289,230
1940	205,978	557,754	8,067,316	5,564,935	13,632,251
1941	217,813	572,213	8,653,063	5,528,062	14,181,125
1942	230,988	622,490	8,896,726	5,122,579	14,019,305

HERALD & EXPRESS: Evening: AP, INS, UP, DJ.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	274,758		9,248,126		
1939	241,405		9,255,291		
1940	243,675		8,879,722		
1941	246,878		8,753,438		
1942	255,865		8,348,106		

NEWS: Morning & Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Morning	Evening	Total
1938	198,810		4,408,303	4,026,110	8,434,413
1939	192,962		4,551,315	4,539,022	9,090,337
1940	195,231		*5,187,056		
1941	202,031		6,025,612		
1942	224,569		6,112,512		

* Changed to Daily issue, effective April 1, 1940.

[fol. 1717]

TIMES: Morning & Sunday: AP, UP, CT, NYT, CDN.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	214,411	343,007	11,368,155	4,751,589	16,119,744
1939	216,376	351,618	11,602,090	4,682,277	16,284,367
1940	217,933	375,050	12,120,088	4,990,253	17,110,346
1941	217,178	395,394	12,477,104	5,401,284	17,878,388
1942	227,430	427,719	12,162,715	4,842,722	17,005,437

NEW YORK CITY

Circulation & Linage

BRONX HOME NEWS: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	119,112	119,754	No Daily & Sunday		3,679,120
1939	108,984	109,747	separation		3,318,899
1940	109,001	109,990	available		3,081,271
1941	107,470	108,300			3,049,471
1942	105,911	106,900			2,657,266

JOURNAL AMERICAN: Evening: INS, AP, UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1937	639,938	1,070,036	8,099,078	4,755,036	12,854,114
1938	629,033	1,025,262	7,507,772	3,516,171	11,023,943
1939	616,473	1,013,648	7,207,564	3,698,730	10,906,294
1940	621,391	1,011,171	6,840,445	3,515,886	10,356,331
1941	621,236	999,018	7,279,626	3,525,315	10,804,941
1942	628,321	1,040,621	7,273,926	3,609,442	10,883,368

MIRROR: Morning: AP, UP, INS, SN.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1934	552,127	1,055,529	2,511,782	861,972	3,373,754
1935	563,718	1,222,625	2,991,813	1,180,808	4,172,621
1936	603,621	1,340,911	3,165,441	1,370,694	4,536,135
1937	656,561	1,441,018	3,689,307	1,595,915	5,285,222
1938	725,378	1,438,163	3,476,130	1,638,317	5,114,447
1939	752,949	1,471,674	3,790,022	1,797,642	5,587,664
1940	754,732	1,473,514	3,982,885	1,909,936	5,885,821
1941	758,381	1,484,202	4,373,787	1,940,018	6,313,805
1942	786,068	1,619,432	4,486,238	2,070,969	6,557,207

[Col. 1718]

JOURNAL: Evening: INS, US.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1934	622,322		8,605,815		
1935	655,238		7,987,527		
1936	652,321		8,080,414		

AMERICAN: Morning: AP, INS, US.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1934	328,306	1,088,470	6,970,170	4,635,416	11,605,586
1935	321,908	1,065,034	6,785,130	4,434,171	11,219,301
1936	315,873	1,056,472	6,705,659	4,831,686	11,537,345

PITTSBURGH

Circulation & Linage

POST-GAZETTE: Morning: AP, UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	216,491		6,422,898		
1939	219,402		6,396,556		
1940	221,166		6,820,040		
1941	233,665		6,984,627		
1942	236,164		6,878,097		

PRESS: Evening & Sunday: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	206,173	323,259	12,132,739	3,877,938	16,010,677
1939	201,637	314,950	12,274,180	4,181,889	16,456,069
1940	214,268	335,934	12,601,282	4,548,901	17,150,183
1941	228,713	358,825	13,079,717	4,656,630	17,736,347
1942	235,935	372,904	12,306,819	4,271,569	16,578,388

SUN-TELEGRAPH: Evening & Sunday: AP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	163,590	404,925	8,301,976	3,249,189	11,551,165
1939	156,615	397,466	8,262,051	3,469,667	11,731,718
1940	159,507	403,294	8,551,796	3,791,683	12,343,479
1941	165,146	420,650	9,000,755	3,980,408	12,981,163
1942	176,928	450,688	8,652,503	4,013,937	12,666,440

[fol. 1719] SAN FRANCISCO

Circulation & Linage

CALL BULLETIN: Evening: INS, AP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	111,754		6,496,585		
1939	106,773		6,530,539		
1940	110,724		6,355,992		
1941	106,274		6,739,668		
1942	123,293		6,100,907		

CHRONICLE: Morning & Sunday: AP, UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	104,904	181,300	5,579,767	2,263,460	7,843,227
1939	107,793	189,107	5,618,567	2,395,326	8,013,893
1940	109,785	192,821	5,402,499	2,976,994	8,379,493
1941	113,432	196,705	5,761,507	3,008,486	8,769,993
1942	117,806	206,088	5,192,800	2,397,633	7,590,433

EXAMINER: Morning & Sunday: AP, INS.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	163,836	438,422	7,673,613	4,202,742	11,876,355
1939	162,822	439,094	8,335,115	4,829,143	13,164,258
1940	164,161	448,080	8,414,249	4,780,809	13,195,058
1941	167,056	464,007	8,166,549	4,778,202	12,944,751
1942	168,587	487,492	7,540,020	4,366,379	11,906,399

NEWS: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	106,610		7,604,524		
1939	103,293		7,241,749		
1940	100,832		6,896,962		
1941	99,056		6,798,231		
1942	109,049		6,511,780		

WASHINGTON, D. C.

Circulation & Linage

HERALD-TIMES: Morning & Evening: UP, INS, CT.

	Circulation				Total Advertising			
	Morning	Evening	Combined Daily	Sunday	Morning	Evening	Sunday	Total
1938	117,085	105,789	222,874	200,025	5,634,750	8,943,013	4,051,763	18,629,526

[fol. 1720]

TIMES-HERALD: Daily: UP, RA, INS, CT, NYN.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1939	188,773	193,713	9,752,765	4,046,296	13,799,061
1940	188,728	197,599	10,278,593	4,187,253	14,465,846
1941	204,094	210,128	10,917,817	3,915,563	14,833,380
1942	220,360	232,318	10,419,297	3,795,208	14,214,505

NEWS: Evening: UP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	70,167		5,974,699		
1939	78,405		5,942,724		
1940	83,604		6,466,590		
1941	85,340		7,181,454		
1942	94,094		7,345,301		

POST: Morning: AP, INS, NYHT.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	106,881	108,168	6,911,858	3,170,985	10,082,843
1939	120,640	117,992	7,481,626	3,217,967	10,699,593
1940	129,779	115,607	7,939,632	3,340,729	11,280,361
1941	139,091	124,969	8,517,409	3,281,943	11,799,352
1942	154,281	145,398	9,390,078	3,192,607	12,582,685

TAR: Evening: AP.

	Circulation		Total Advertising		
	Daily	Sunday	Daily	Sunday	Total
1938	135,554	146,259	17,272,061	5,145,838	22,417,899
1939	142,918	154,772	17,687,584	5,443,101	23,130,685
1940	151,201	154,694	17,929,886	5,874,645	23,804,531
1941	160,570	162,719	18,360,212	5,662,140	24,022,352
1942	175,822	176,305	17,616,073	5,438,412	23,054,485

Note: Effective Feb. 1, 1939 publication of the morning Herald and the evening Times was changed to an "all day" paper. Title was changed to Times-Herald.

[fol. 1721] DISTRICT COURT OF THE UNITED STATES FOR THE SOUTHERN DISTRICT OF NEW YORK

[Title omitted]

EXHIBIT "A" ANNEXED TO AFFIDAVIT OF W. J. BYRNES FILED IN BEHALF OF DEFENDANTS, TRIBUNE COMPANY AND ROBERT RUTHERFORD McCORMICK, IN OPPOSITION TO MOTION OF PLAINTIFF FOR SUMMARY JUDGMENT

[fol. 1722] Circulations of Midwest Daily Newspapers

Compiled from April, 1943 Standard Rate & Data Service, Editor and Publisher 1943 International Year Book Number and Audit Bureau of Circulations Audit Reports.

Source of Data and Key to Notes in Tabulations

Circulations of Audit Bureau of Circulations member newspapers are from ABC Audit Reports as made. They are as follows:

(1) March 31, 1942 Audit Reports
(2) June 30, 1942 Audit Reports
(3) September 30, 1942 Audit Reports
(4) December 31, 1941 Audit Reports

Circulations of newspapers, which are not members of the ABC, are publishers' government and sworn statements for the period ended September 30, 1942 and are from the April, 1943 issue of Standard Rate and Data Service. These are noted by an asterisk (*).

Press Services received by newspapers are from Editor & Publisher 1943 International Year Book Number.

Populations of cities are from 1940 census.

Chicago Tribune circulation for cities and counties in which other newspapers are published are from 1942 Book of Facts audit: Daily, March 4, 1942; Sunday, March 1, 1942. This audit is based on the same totals and dates as the detailed distribution contained in the March 31, 1942 ABC Audit Report. The ABC Audit Report reports circu-
[fol. 1723] lation for only those cities receiving 25 or more copies and does not report circulation for all counties.

Towns are numbered in their alphabetical sequence: Illinois 1 to 76, Indiana 1 to 72, Iowa 1 to 40, Michigan 1 to 50, Minnesota 1 to 27, Missouri 1 to 41, Ohio 1 to 86, South Dakota 1 to 12 and Wisconsin 1 to 37.

[fol. 1724] List and Abbreviations of Press Services Serving Midwest Daily Newspapers

AP—Associated Press.
UP—United Press.
INS—International News Service.
NANA—North American Newspaper Alliance.
SHNA—Scripps-Howard Newspaper Alliance.
CDN—Chicago Daily News.
CP—Consolidated Press.
CT—Chicago Tribune.
NYT—New York Times.
TR—Transradio.

SUMMARY OF RECENT DAILY NEWSPAPERS SERVED BY EACH PRESS SERVICE AT TIME OF ISSUE
(Sunday Circulations Shown are Those published in connection with daily newspapers)

Summary - 9 States

Press Service	1. Morning No. of Papers	1. Morning Combined Circulation	2. Evening No. of Papers	2. Evening Combined Circulation	3. Morning & Evening No. of Papers	3. Morning & Evening Combined Circulation	4. Daily No. of Papers	4. Daily Combined Circulation	Total Weekday No. of Papers	Total Weekday Combined Circulation	Sunday No. of Papers	Sunday Combined Circulation
Associated Press	25	2,872,329	220 (1)	5,851,821	25	2,338,530	1	62,615	271 (2)	10,905,075	44 (3)	6,727,090
United Press	10	1,265,748	211 (4)	5,403,600	14	918,375	1	62,615	236 (5)	7,650,338	58	3,369,345
International News Service	9	956,127	79 (6)	2,810,181	9	1,200,775	1	62,615	98 (7)	4,709,698	29	3,930,368
North American Newspaper Alliance	2	377,870	2	526,822	1	686,649	-	-	5	1,591,341	4	1,254,082
Scripps-Howard Newspaper Alliance	-	-	2	186,680	-	-	-	-	2	186,680	1	61,371
Chicago Daily News	-	-	5	850,372	2	1,009,595	-	-	7	1,859,966	7	1,761,138
Consolidated Press	-	-	1	28,785	-	-	-	-	1	28,785	1	28,420
Chicago Tribune	2	573,661	-	-	-	-	-	-	2	573,661	2	591,054
New York Times	1	328,295	1	269,036	-	-	-	-	2	597,331	1	321,135
Transradio	-	-	1	13,981	-	-	-	-	1	13,981	1	14,116
No Service Listed	3 (8)	5,853	36 (9)	80,353	-	-	-	-	38 (10)	85,606	1	Not Reported
Total No. of Newspapers	34 (11)	2,989,468	432 (12)	8,612,011	27	2,350,130	1	62,615	494 (13)	13,414,221	99 (14)	9,969,543

9 States Summary Notes:
(1) Combined Circulation for 219 Papers (6) Combined Circulation for 78 Papers (11) Combined Circulation for 32 Papers
(2) " " " 270 " (7) " " " 97 " (12) " " " 480 "
(3) " " " 81 " (8) " " " 1 Paper (13) " " " 480 "
(4) " " " 208 " (9) " " " 28 Papers (14) " " " 95 "
(5) " " " 233 " (10) " " " 29 "

Illinois Summary

Associated Press	3	1,072,388	41 (1)	1,798,484	4	191,866	1	62,615	49 (2)	3,121,293	13	2,672,851
United Press	3	328,676	38 (3)	1,284,917	1	56,766	1	62,615	43 (4)	1,652,974	10	1,161,270
International News Service	-	-	12	980,411	2	136,092	1	62,615	15	749,118	5	1,067,039
No Service Listed	-	-	5 (5)	12,643	-	-	-	-	5 (5)	12,643	-	-
Total No. of Newspapers	5	1,377,779	77 (6)	1,971,273	4	191,866	1	62,615	87 (7)	3,606,533	17	3,140,383

Illinois Summary Notes:
(1) Combined Circulation for 40 Papers (4) Combined Circulation for 42 Papers (6) Combined Circulation for 73 Papers
(2) " " " 48 " (5) " " " 3 " (7) " " " 85 "
(3) " " " 37 "

Indiana Summary

Associated Press	7	356,330	21	403,275	5	110,115	-	-	33	869,720	13 (1)	510,058
United Press	3	231,155	40	689,700	5	92,908	-	-	48	1,013,763	9	463,295
International News Service	4	6,295	17	287,980	3	50,387	-	-	24	344,602	5	150,916
North American Newspaper Alliance	1	132,502	-	-	-	-	-	-	1	132,502	1	178,952
Scripps-Howard Newspaper Alliance	-	-	1	33,316	-	-	-	-	1	33,316	1	61,371
Chicago Daily News	-	-	1	33,316	-	-	-	-	1	33,316	1	61,371
Consolidated Press	-	-	1	28,785	-	-	-	-	1	28,785	1	28,420
No Service Listed	-	-	8 (2)	19,765	-	-	-	-	8 (2)	19,765	1	Not Reported
Total No. of Newspapers	11	362,625	70 (3)	855,940	7	121,935	-	-	88 (4)	2,340,500	16 (5)	545,585

Indiana Summary Notes:
(1) Combined Circulation for 12 Papers (3) Combined Circulation for 69 Papers (5) Combined Circulation for 14 Papers
(2) " " " 7 " (4) " " " 87 "

Iowa Summary

Associated Press	1	3,562	85	318,207	2	407,658	-	-	28	729,427	8	594,066
United Press	-	-	15	289,980	-	-	-	-	15	229,980	4	131,941
International News Service	-	-	11	172,553	-	-	-	-	11	172,553	3	112,467
Chicago Daily News	-	-	-	-	1	322,946	-	-	1	322,946	1	387,348
Total No. of Newspapers	1	3,562	38	386,313	2	407,658	-	-	41	797,533	8	594,066

Michigan Summary

Associated Press	5	399,791	30	950,795	-	-	-	-	35	1,350,586	13 (1)	1,100,[illegible]
United Press	1	328,295	31	1,213,152	-	-	-	-	32	1,541,146	10	1,187,397
International News Service	1	47,004	6	574,861	-	-	-	-	7	621,265	4	571,337
North American Newspaper Alliance	-	-	1	[illegible]					-	[illegible]	-	147,360

										1	62,015	454	(13) 13,444,224	99	(14) 9,969,543

9 States Summary Notes:
(1) Combined Circulation for 219 Papers (6) Combined Circulation for 78 Papers (11) Combined Circulation for 32 Papers
(2) " " " 270 " (7) " " " 97 " (12) " " " 480 "
(3) " " " 81 " (8) " " " 1 Paper (13) " " " 480 "
(4) " " " 208 " (9) " " " 28 Papers (14) " " " 95 "
(5) " " " 253 " (10) " " " 29 "

Illinois Summary

Associated Press	3	1,072,388	41	(1) 1,791,421	4	194,866	1	62,615	49	(2)	3,121,293	13		2,872,831
United Press	3	328,676	38	(3) 1,204,917	1	56,756	1	62,615	43	(4)	1,652,974	10		1,161,270
International News Service	-	-	12	550,411	2	136,092	1	62,615	15		749,118	5		1,067,039
No Service Listed	-	-	5	(5) 12,643	-	-	-	-	5	(5)	12,643	-		-
Total No. of Newspapers	5	1,377,779	77	(6) 1,971,273	4	194,866	1	62,615	87	(7)	3,606,533	17		3,440,323

Illinois Summary Notes:
(1) Combined Circulation for 40 Papers (4) Combined Circulation for 42 Papers (6) Combined Circulation for 73 Papers
(2) " " " 48 " (5) " " " 3 " (7) " " " 83 "
(3) " " " 37 "

Indiana Summary

Associated Press	7	356,330	21	403,275	5	110,115	-	-	33		869,720	13	(1)	510,058
United Press	3	231,155	40	689,700	5	92,908	-	-	48		1,013,763	9		463,295
International News Service	4	6,295	17	287,920	3	50,387	-	-	24		344,602	5		150,916
North American Newspaper Alliance	1	132,502	-	-	-	-	-	-	1		132,502	1		178,952
Scripps-Howard Newspaper Alliance	-	-	1	33,316	-	-	-	-	1		33,316	1		61,371
Chicago Daily News	-	-	1	33,316	-	-	-	-	1		33,316	1		61,371
Consolidated Press	-	-	1	28,785	-	-	-	-	1		28,785	1		28,420
No Service Listed	-	-	8	(2) 19,765	-	-	-	-	8	(2)	19,765	1		Not Reported
Total No. of Newspapers	11	362,625	70	(3) 855,540	7	121,935	-	-	88	(4)	1,340,500	16	(5)	545,525

Indiana Summary Notes:
(1) Combined Circulation for 12 Papers (3) Combined Circulation for 69 Papers (5) Combined Circulation for 14 Papers
(2) " " " 7 " (4) " " " 87 "

Iowa Summary

Associated Press	1	3,562	25	318,207	2	407,658	-	-	28		729,427	8		594,066
United Press	-	-	15	229,988	-	-	-	-	15		229,988	4		131,941
International News Service	-	-	11	172,553	-	-	-	-	11		172,553	3		112,467
Chicago Daily News	-	-	-	-	1	322,946	-	-	1		322,946	1		387,348
Total No. of Newspapers	1	3,562	38	386,313	2	407,658	-	-	41		797,533	8		594,066

Michigan Summary

Associated Press	5	399,791	30	950,795	-	-	-	-	35		1,350,586	13	(1)	1,100,172
United Press	1	328,293	31	1,213,152	-	-	-	-	32		1,541,445	10		1,487,397
International News Service	1	47,004	6	574,261	-	-	-	-	7		621,265	4		571,337
North American Newspaper Alliance	-	-	1	371,726	-	-	-	-	1		371,726	1		447,360
Chicago Daily News	-	-	1	371,726	-	-	-	-	1		371,726	1		447,360
Chicago Tribune	1	328,293	-	-	-	-	-	-	1		328,293	1		321,135
New York Times	1	328,293	-	-	-	-	-	-	1		328,293	1		321,135
Total No. of Newspapers	5	399,791	48	1,358,689	-	-	-	-	53		1,758,460	14	(2)	1,563,619

Michigan Summary Notes:
(1) Combined Circulation for 12 Papers
(2) " " " 13 "

1725

1399

(Sunday Circulations Shown are those published in connection with daily newspapers)

Minnesota Summary

Press Service	1. Morning No. of Papers	1. Morning Combined Circulation	2. Evening No. of Papers	2. Evening Combined Circulation	3. Morning & Evening No. of Papers	3. Morning & Evening Combined Circulation	4. Daily No. of Papers	4. Daily Combined Circulation	Total Weekday No. of Papers	Total Weekday Combined Circulation	Sunday No. of Papers	Sunday Combined Circulation
Associated Press	1	3,951	18	186,471	3	567,063	-	-	22	757,485	4	540,587
United Press	-	-	3	38,610	2	497,214	-	-	5	535,824	2	486,896
International News Service	-	-	-	-	1	324,232	-	-	1	324,232	1	373,398
No Service Listed	-	-	6	27,412	-	-	-	-	6	27,412	-	-
Total No. of Papers	1	3,951	24	213,883	3	567,063	-	-	28	784,897	4	540,587

Missouri Summary

Associated Press	1	216,368	19	337,181	6	882,147	-	-	26	1,464,696	8	1,118,669
United Press	-	-	11	206,294	3	442,271	-	-	14	348,565	5	115,903
International News Service	-	-	1	173,203	2	741,673	-	-	3	914,876	2	405,808
North American Newspaper Alliance	1	216,368	-	-	1	686,649	-	-	2	932,017	2	627,710
Chicago Daily News	-	-	1	263,062	1	686,649	-	-	2	749,731	2	693,705
Chicago Tribune	1	216,368	-	-	-	-	-	-	1	216,368	1	272,959
No Service Listed	-	-	11 (1)	8,227	-	-	-	-	11 (1)	8,227	-	-
Total No. of Papers	1	216,368	40 (2)	549,114	6	882,147	-	-	47 (3)	1,676,629	10	1,127,166

Missouri Summary Notes: (1) Combined Circulation for 8 Papers (2) Combined Circulation for 37 Papers (3) Combined Circulation for 44 Papers

Ohio Summary

Associated Press	5	469,585	32	1,203,324	4	159,278	-	-	41	1,827,227	(1)17	1,417,186
United Press	3	377,624	51	1,321,169	2	112,003	-	-	56	1,810,796	13	1,151,498
International News Service	3	377,624	31 (2)	1,037,929	1	28,391	-	-	35 (3)	1,443,944	8	1,044,503
North American Newspaper Alliance	-	-	1	155,096	-	-	-	-	1	155,096	-	-
Scripps-Howard Newspaper Alliance	-	-	1	153,364	-	-	-	-	1	153,364	-	-
Chicago Daily News	-	-	2	182,247	-	-	-	-	2	182,247	2	174,354
Transradio	-	-	1	13,981	-	-	-	-	1	13,981	1	14,136
No Service Listed	1	5,853	5 (4)	10,859	-	-	-	-	6 (5)	15,512	-	-
Total No. of Papers	6	469,808	87 (6)	1,968,044	4	159,278	-	-	97 (7)	2,597,130	20	1,530,919

Chio Summary Notes: (1) Includes the Columbus Star which is published on Saturday.
(2) Combined Circulation for 30 Papers (5) Combined Circulation for 5 Papers
(3) " " " 34 " (6) " " " 85 "
(4) " " " 4 " (7) " " " 95 "

South Dakota Summary

Associated Press	1	1,380	10	106,996	-	-	-	-	11	108,376	3	32,097
United Press	-	-	2	4,022	-	-	-	-	2	4,022	-	-
No Service Listed	1	Not Reported	-	-	-	-	-	-	1	Not Reported	-	-
Total No. of Newspapers	2 (1)	1,380	11	107,846	-	-	-	-	13 (2)	109,226	3	32,097

South Dakota Summary Notes: (1) Combined Circulation for 1 Paper (2) Combined Circulation for 12 Papers

Wisconsin Summary

Associated Press	1	125,204	24	533,878	1	17,183	-	-	26	676,265	5 (1)	541,432
United Press	-	-	20 (2)	495,748	1	17,183	-	-	21 (3)	512,931	5	369,145
International News Service	1	125,204	1	13,924	-	-	-	-	2	139,128	1	206,900
New York Times	-	-	1	2,047	-	-	-	-	1	2,047	-	-
Total No. of Newspapers	1	125,204	37 (4)	630,909	1	17,183	-	-	39 (5)	773,296	7 (6)	595,244

Wisconsin Summary Notes: (1) Combined Circulation for 4 Papers (3) Combined Circulation for 19 Papers (5) Combined Circulation for 37 Papers
(2) " " " 18 " (4) " " " 35 " (6) " " " 6 "

SUMMARY OF MIDWEST DAILY NEWSPAPER BY PRESS SERVICES RECEIVED AND TIME OF ISSUE

Summary - 9 States

Press Services Received	1. Morning No. of Papers	1. Morning Combined Circulation	2. Evening No. of Papers	2. Evening Combined Circulation	3. Morning & Evening No. of Papers	3. Morning & Evening Combined Circulation	4. Daily No. of Papers	4. Daily Combined Circulation	Total Weekday No. of Papers	Total Weekday Combined Circulation	Sunday No. of Papers	Sunday Combined Circulation
A-AP Only	14	1,894,596	141 (1)	1,197,385	9	317,929	-	-	164 (2)	2,809,920	89 (3)	1,863,090
B-AP and UP	3	121,958	40	1,709,860	6	436,650	-	-	49	2,268,468	20 (4)	1,118,970
C-AP, UP and INS	3	377,624	28	886,798	6	489,905	1	62,615	38	1,816,942	18	1,539,359
D-AP, UP and CDN	-	-	-	-	1	322,946	-	-	1	322,946	1	387,348
E-AP, UP, and NYT	-	-	1	869,038	-	-	-	-	1	869,038	1	504,515
F-AP, UP and NANA	1	132,502	-	-	-	-	-	-	1	132,502	1	178,952
G-AP, UP, INS and CDN	-	-	2	182,247	-	-	-	-	2	182,247	2	174,354
H-AP, UP, CT and NYT	1	328,293	-	-	-	-	-	-	1	328,293	1	321,135
I-AP, UP, NANA and CDN	-	-	1	371,786	-	-	-	-	1	371,786	1	147,360
J-AP, UP, SHNA and CDN	-	-	1	33,316	-	-	-	-	1	33,316	1	61,371
K-AP, INS	2	172,208	4	763,073	2	101,221	-	-	8	1,036,502	6	1,370,040
L-AP, INS, NANA	-	-	1	155,096	-	-	-	-	1	155,096	-	-
M-AP, INS, NANA, CDN and CT	-	-	-	-	1	686,649	-	-	1	686,649	1	354,751
N-AP, NANA and NYT	1	216,368	-	-	-	-	-	-	1	216,368	1	272,959
O-AP and CDN	-	-	1	263,082	-	-	-	-	1	263,082	1	338,954
P-UP Only	2	305,391	130 (5)	1,239,785	2	11,820	-	-	134 (6)	1,556,996	11	736,165
Q-UP and INS	-	-	6	528,741	-	-	-	-	6	528,741	1	163,144
R-UP, INS and CP	-	-	1	28,785	-	-	-	-	1	28,785	1	28,420
S-UP and SHNA	-	-	1	153,364	-	-	-	-	1	153,364	-	-
T-INS Only	4	6,295	37 (7)	165,441	-	-	-	-	41 (8)	171,736	-	-
U-TR Only	-	-	1	13,981	-	-	-	-	1	13,981	1	14,116
V-No Service Listed	3 (9)	5,253	36 (10)	80,353	-	-	-	-	39 (11)	85,606	1	Not Reported
TOTAL	34 (12)	2,989,468	432 (13)	8,042,011	27	2,350,130	1	62,615	494 (14)	13,444,224	99 (15)	9,969,543

9 States Summary Notes:
(1) Total Circulation for 140 Papers
(2) " " " 163 "
(3) " " " 27 "
(4) " " " 19 "
(5) " " " 127 "
(6) Total Circulation for 131 Papers
(7) " " " 36 "
(8) " " " 40 "
(9) " " " 1 Paper
(10) " " " 29 Papers
(11) Total Circulation for 30 Papers
(12) " " " 52 "
(13) " " " 420 "
(14) " " " 480 "
(15) " " " 95 "

Illinois Summary

A-AP Only	2	1,049,103	26 (1)	216,787	2	58,774	-	-	30 (5)	1,353,664	5	1,325,113
B-AP and UP	1	23,285	10	1,022,548	-	-	-	-	11	1,045,833	3	480,679
C-AP, UP and INS	-	-	3	37,400	1	56,766	1	62,615	5	156,781	3	112,099
E-AP and INS	-	-	2	485,689	1	79,326	-	-	3	565,015	2	951,960
P-UP Only	2	305,391	24 (2)	139,884	-	-	-	-	26 (6)	445,275	4	567,492
Q-UP and INS	-	-	1	5,065	-	-	-	-	1	5,065	-	-
T-INS Only	-	-	6	22,237	-	-	-	-	6	22,237	-	-
V-No Service Listed	-	-	5 (3)	12,643	-	-	-	-	5 (3)	12,643	-	-
TOTAL	5	1,377,779	77 (4)	1,971,273	4	194,866	1	62,615	87 (7)	3,606,533	17	3,440,323

Illinois Summary Notes:
(1) Total Circulation for 25 Papers
(2) " " " 23 "
(3) " " " 5 "
(4) " " " 73 "
(5) Total Circulation for 29 Papers
(6) " " " 25 "
(7) " " " 83 "

Indiana Summary

A-AP Only	4	125,175	13	114,351	1	4,132	-	-	18	243,658	5 (1)	57,442
B-AP and UP	2	98,653	2	33,707	1	55,596	-	-	5	187,956	2	89,797
C-AP-UP and INS	-	-	5	282,901	2	25,492	-	-	7	247,393	3	97,708
F-AP, UP and NANA	1	132,502	-	-	-	-	-	-	1	132,502	1	178,952
J-AP, UP, SHNA and CDN	-	-	1	33,316	-	-	-	-	1	33,316	1	61,371
K-AP and INS	-	-	-	-	1	24,855	-	-	1	24,855	1	24,788
P-UP Only	-	-	29	366,881	2	11,820	-	-	31	378,701	1	7,047
Q-UP and INS	-	-	2	5,110	-	-	-	-	2	5,110	-	-
R-UP, INS and CP	-	-	1	28,785	-	-	-	-	1	28,785	1	28,420
T-INS Only	4	6,295	9	32,124	-	-	-	-	13	38,419	-	-
V-No Service Listed	-	-	8 (2)	19,765	-	-	-	-	8 (2)	19,765	1	Not Reported
TOTAL	11	362,625	70 (3)	855,940	7	121,935	-	-	88 (4)	1,340,500	16 (5)	545,525

Indiana Summary Notes:
(1) Total Circulation for 4 Papers
(2) " " " 7 "
(3) " " " 74 "
(4) Total Circulation for 87 Papers
(5) " " " 14 "

J-AP, L-, SHHA and CHH	-		-	1		33,316	-		-	-		-	1		33,316	1	61,371
K-AP, IHH	2		172,208	4		765,073	2		101,221	-		-	8		1,039,502	6	1,370,640
L-AP, IHH, HAHA	-		-	1		155,096	-		-	-		-	1		155,096	-	-
M-AP, IHH, HAHA, CHH and CT	-		-	-		-	1		686,649	-		-	1		686,649	1	354,751
P-AP, HAHA and HTT	1		245,368	-		-	-		-	-		-	1		245,368	1	272,959
Q-AP and CHH	-		-	1		263,082	-		-	-		-	1		263,082	1	338,954
P-UP Only	2		305,391	130	(5)	1,239,765	2		11,820	-		-	134	(6)	1,556,996	11	736,669
Q-UP and IHH	-		-	6		528,741	-		-	-		-	6		528,741	1	463,144
R-UP, IHH and CP	-		-	1		28,785	-		-	-		-	1		28,785	1	28,420
S-UP and SHHA	-		-	1		153,364	-		-	-		-	1		153,364	-	-
T-IHH Only	4		6,295	37	(7)	165,141	-		-	-		-	41	(8)	171,736	-	-
U-CH Only	-		-	1		13,981	-		-	-		-	1		13,981	1	14,116
V-No Service Listed	3	(9)	5,253	36	(10)	80,353	-		-	-		-	39	(11)	85,606	1	Not Reported
TOTAL	34	(12)	2,989,468	432	(13)	8,042,011	27		2,350,130	1		62,615	494	(14)	13,444,284	99	(15) 9,969,543

9 States Summary Notes:
(1) Total Circulation for 140 Papers
(2) " " " 165 "
(3) " " " 27 "
(4) " " " 19 "
(5) " " " 127 "
(6) Total Circulation for 131 Papers
(7) " " " 35 "
(8) " " " 40 "
(9) " " " 1 Paper
(10) " " " 89 Papers
(11) Total Circulation for 70 Papers
(12) " " " 52 "
(13) " " " 420 "
(14) " " " 480 "
(15) " " " 95 "

Illinois Summary

A-AP Only	2		1,049,103	26	(1)	246,787	2		58,774	-		-	30	(5)	1,353,664	5	1,325,113
B-AP and UP	1		23,285	10		1,022,548	-		-	-		-	11		1,045,833	3	480,679
C-AP, UP and IHH	-		-	3		37,400	1		56,766	1		62,615	5		156,781	3	112,099
D-AP and IHH	-		-	2		485,689	1		79,326	-		-	3		565,015	2	954,940
E-UP Only	2		305,391	24	(2)	139,884	-		-	-		-	26	(6)	445,275	4	567,492
F-UP and IHH	-		-	1		5,085	-		-	-		-	1		5,085	-	-
G-IHH Only	-		-	6		22,857	-		-	-		-	6		22,857	-	-
H-No Service Listed	-		-	5	(3)	12,643	-		-	-		-	5	(3)	12,643	-	-
TOTAL	5		1,377,779	77	(4)	1,971,273	4		194,866	1		62,615	87	(7)	3,606,533	17	3,440,323

Illinois Summary Notes:
(1) Total Circulation for 25 Papers
(2) " " " 23 "
(3) " " " 5 "
(4) " " " 75 "
(5) Total Circulation for 29 Papers
(6) " " " 28 "
(7) " " " 85 "

Indiana Summary

A-AP Only	4		185,175	13		114,351	1		4,132	-		-	18		243,658	5	(1) 57,142
B-AP and UP	2		98,653	2		33,707	1		22,596	-		-	5		187,956	2	89,797
C-AP-UP and IHH	-		-	5		221,901	2		85,492	-		-	7		247,993	3	97,708
F-AP, UP and HAHA	1		132,502	-		-	-		-	-		-	1		132,502	1	178,952
J-AP, UP, SHHA and CHH	-		-	1		33,316	-		-	-		-	1		33,316	1	61,371
K-AP and IHH	-		-	-		-	1		24,895	-		-	1		24,895	1	24,788
L-UP Only	-		-	29		366,881	2		11,820	-		-	31		378,701	1	7,047
M-UP and IHH	-		-	2		5,110	-		-	-		-	2		5,110	-	-
N-UP, IHH and CP	-		-	1		28,785	-		-	-		-	1		28,785	1	28,420
P-IHH Only	4		6,295	9		32,124	-		-	-		-	13		38,419	-	-
Q-No Service Listed	-		-	8	(2)	19,765	-		-	-		-	8	(2)	19,765	1	Not Reported
TOTAL	11		362,625	70	(3)	895,940	7		121,935	-		-	88	(4)	1,340,500	16	(5) 516,525

Indiana Summary Notes:
(1) Total Circulation for 4 Papers
(2) " " " 7 "
(3) " " " 69 "
(4) Total Circulation for 87 Papers
(5) " " " 14 "

Iowa Summary

A-AP Only	1		3,562	17		120,761	1		84,712	-		-	19		209,035	3	74,777
B-AP and UP	-		-	3		60,167	-		-	-		-	3		60,167	1	19,674
C-AP, UP and IHH	-		-	5		136,989	-		-	-		-	5		136,989	3	112,167
D-AP, and CHH	-		-	-		-	1		322,946	-		-	1		322,946	1	387,348
E-UP Only	-		-	7		32,542	-		-	-		-	7		32,542	-	-
F-IHH Only	-		-	6		35,564	-		-	-		-	6		35,564	-	-
TOTAL	1		3,562	38		386,313	2		407,658	-		-	41		797,533	8	594,066

1727

1401

SUMMARY OF MIDWEST DAILY NEWSPAPERS BY PRESS SERVICES RECEIVED AND TIME OF ISSUE-cont'd

Michigan Summary

Press Services Received	1. Morning No. of Papers	1. Morning Combined Circulation	2. Evening No. of Papers	2. Evening Combined Circulation	3. Morning & Evening No. of Papers	3. Morning & Evening Combined Circulation	4. Daily No. of Papers	4. Daily Combined Circulation	Total Weekday No. of Papers	Total Weekday Combined Circulation	Sunday No. of Papers	Sunday Combined Circulation
A-AP Only	3	21,454	17	145,537	-	-	-	-	20	170,031	3 (1)	36,307
B-AP and UP	-	-	7	288,721	-	-	-	-	7	288,721	5	187,477
C-AP, UP and INS	-	-	5	144,811	-	-	-	-	5	144,811	2	69,981
E-AP,UP,CT and NYT	1	328,293	-	-	-	-	-	-	1	328,293	1	321,135
I-AP,UP,HANA and CDN	-	-	1	371,726	-	-	-	-	1	371,726	1	147,360
K-AP, and INS	1	47,004	-	-	-	-	-	-	1	47,004	1	37,912
P-UP Only	-	-	17	78,144	-	-	-	-	17	78,144	-	-
Q-UP and INS	-	-	1	329,460	-	-	-	-	1	329,460	1	163,144
TOTAL	5	399,791	48	1,358,689	-	-	-	-	53	1,758,480	14 (2)	1,563,619

Michigan Summary Notes: (1) Total Circulation for 2 Papers (2) Total Circulation for 13 Papers

Minnesota Summary

A-AP Only	1	3,951	15	147,861	1	69,819	-	-	17	221,631	2	53,691
B-AP and UP	-	-	3	38,610	1	173,012	-	-	4	211,622	1	113,498
C-AP, UP and INS	-	-	-	-	1	324,232	-	-	1	324,232	1	373,398
V-No Service Listed	-	-	6	27,412	-	-	-	-	6	27,412	-	-
TOTAL	1	3,951	24	213,883	3	567,063	-	-	28	784,897	4	540,587

Missouri Summary

A-AP Only	-	-	17	71,511	2	53,227	-	-	19	124,738	2	14,599
B-AP and UP	-	-	1	2,588	2	87,247	-	-	3	89,835	2	58,349
C-AP, UP and INS	-	-	-	-	1	55,024	-	-	1	55,024	1	49,057
E-AP,INS,HANA,CDN and CT	-	-	-	-	1	686,649	-	-	1	686,649	1	354,751
E-AP,HANA and NYT	1	215,368	-	-	-	-	-	-	1	215,368	1	272,959
O-AP and CDN	-	-	1	263,082	-	-	-	-	1	263,082	1	338,954
P-UP Only	-	-	9	30,503	-	-	-	-	9	30,503	2	8,497
Q-UP and INS	-	-	1	173,203	-	-	-	-	1	173,203	-	-
V-No Service Listed	-	-	11 (1)	8,227	-	-	-	-	11 (1)	8,227	-	-
TOTAL	1	215,368	40 (2)	549,114	6	882,147	-	-	47 (3)	1,676,629	10	1,127,166

Missouri Summary Notes: (1) Total Circulation for 8 Papers (2) Total Circulation for 37 Papers (3) Total Circulation for 44 Papers

Ohio Summary

A-AP Only	2	86,931	11	114,639	2	47,275	-	-	15	248,845	5 (1)	219,805
B-AP and UP	-	-	7	142,235	1	83,612	-	-	8	225,847	4	152,878
C-AP, UP and INS	3	377,624	9	331,795	1	28,391	-	-	13	737,808	5	724,649
G-AP,UP,INS and CDN	-	-	2	182,247	-	-	-	-	2	182,247	2	174,354
K-AP and INS	-	-	2	277,384	-	-	-	-	2	277,384	1	146,500
L-AP, INS and HANA	-	-	1	155,096	-	-	-	-	1	155,096	-	-
P-UP Only	-	-	31	495,637	-	-	-	-	31	495,637	2	99,617
Q-UP and INS	-	-	1	15,822	-	-	-	-	1	15,822	-	-
S-UP and SINA	-	-	1	153,364	-	-	-	-	1	153,364	-	-
T-INS Only	-	-	16 (2)	75,516	-	-	-	-	16 (2)	75,516	-	-
U-TT Only	-	-	1	13,981	-	-	-	-	1	13,981	1	14,116
V-No Service Listed	2 (7)	5,253	5 (3)	10,259	-	-	-	-	7 (5)	15,512	-	-
TOTAL	7 (8)	469,808	87 (4)	1,968,044	4	159,278	-	-	98 (6)	2,597,130	20	1,530,919

Ohio Summary Notes: (1) Includes the Columbus Star which is published on Saturday
(2) Total Circulation for 15 Papers (5) Total Circulation for 5 Papers (7) Total Circulation for 1 Paper
(3) " " " 4 " (6) " " " 95 " (8) " " " 6 Papers
(4) " " " 85 "

South Dakota Summary

A-AP Only	1	1,380	9	103,824	-	-	-	-	10	105,204	3	32,097
B-AP and UP	-	-	1	3,172	-	-	-	-	1	3,172	-	-
P-UP Only	-	-	1	850	-	-	-	-	1	850	-	-
V-No Service Listed	1	Not Reported	--	-	-	-	-	-	1	Not Reported	-	-
TOTAL	2 (1)	1,380	11	107,846	-	-	-	-	13 (2)	109,226	3	32,097

Michigan Summary Notes: (1) Total Circulation for 2 Papers (2) Total Circulation for 13 Papers

Minnesota Summary

A-AP Only	1	3,951	15	147,861	1	69,819	-	-	17	221,631	2	53,691
B-AP and UP	-	-	3	38,610	1	173,012	-	-	4	211,622	1	113,498
C-AP, UP and INS	-	-	-	-	1	324,232	-	-	1	324,232	1	373,398
V-No Service Listed	-	-	6	27,412	-	-	-	-	6	27,412	-	-
TOTAL	1	3,951	24	213,883	3	567,063	-	-	28	784,897	4	540,587

Missouri Summary

A-AP Only	-	-	17	71,511	2	53,227	-	-	19	124,738	2	14,599
B-AP and UP	-	-	1	2,588	2	87,247	-	-	3	89,835	2	58,349
C-AP, UP and INS	-	-	-	-	1	55,024	-	-	1	55,024	1	49,057
E-AP, INS, NANA, CDN and CT	-	-	-	-	1	686,649	-	-	1	686,649	1	351,751
E-AP, NANA and NYT	1	216,368	-	-	-	-	-	-	1	216,368	1	272,959
O-AP and CDN	-	-	1	263,082	-	-	-	-	1	263,082	1	338,954
P-UP Only	-	-	9	30,503	-	-	-	-	9	30,503	2	8,497
Q-UP and INS	-	-	1	173,203	-	-	-	-	1	173,203	-	-
V-No Service Listed	-	-	11 (1)	8,227	-	-	-	-	11 (1)	8,227	-	-
TOTAL	1	216,368	40 (2)	549,114	6	882,147	-	-	47 (3)	1,676,629	10	1,127,166

Missouri Summary Notes: (1) Total Circulation for 8 Papers (2) Total Circulation for 37 Papers (3) Total Circulation for 44 Papers

Ohio Summary

A-AP Only	2	86,931	11	114,639	2	47,275	-	-	15	248,845	5 (1)	219,805
B-AP and UP	-	-	7	142,235	1	83,612	-	-	8	225,847	4	152,878
C-AP, UP and INS	3	377,624	9	331,795	1	28,391	-	-	13	737,808	5	724,649
C-AP, UP, INS and CDN	-	-	2	182,247	-	-	-	-	2	182,247	2	174,354
E-AP and INS	-	-	2	277,384	-	-	-	-	2	277,384	1	145,500
L-AP, INS and NANA	-	-	1	155,096	-	-	-	-	1	155,096	-	-
P-UP Only	-	-	31	495,637	-	-	-	-	31	495,637	2	99,617
Q-UP and INS	-	-	1	15,895	-	-	-	-	1	15,895	-	-
S-UP and SINA	-	-	1	153,364	-	-	-	-	1	153,364	-	-
T-INS Only	-	-	16 (2)	75,516	-	-	-	-	16 (2)	75,516	-	-
U-TR Only	-	-	1	13,981	-	-	-	-	1	13,981	1	14,116
V-No Service Listed	2 (7)	5,253	5 (3)	10,259	-	-	-	-	7 (5)	15,512	-	-
TOTAL	7 (8)	469,808	87 (4)	1,968,044	4	159,278	-	-	98 (6)	2,597,130	20	1,530,919

Ohio Summary Notes:
(1) Includes the Columbus Star which is published on Saturday
(2) Total Circulation for 15 Papers (5) Total Circulation for 5 Papers (7) Total Circulation for 1 Paper
(3) " " " 4 " (6) " " " 95 " (8) " " " 6 Papers
(4) " " " 85 "

South Dakota Summary

A-AP Only	1	1,380	9	103,684	-	-	-	-	10	105,204	3	32,097
B-AP and UP	-	-	1	3,172	-	-	-	-	1	3,172	-	-
P-UP Only	-	-	1	850	-	-	-	-	1	850	-	-
V-No Service Listed	1	Not Reported	--	-	-	-	-	-	1	Not Reported	-	-
TOTAL	2 (1)	1,380	11	107,846	-	-	-	-	13 (2)	109,226	3	32,097

South Dakota Summary Notes: (1) Total Circulation for 1 Paper (2) Total Circulation for 12 Papers

Wisconsin Summary

A-AP Only	-	-	16	133,114	-	-	-	-	16	133,114	1	19,199
B-AP and UP	-	-	6	117,822	1	17,183	-	-	7	135,005	2 (1)	10,818
C-AP, UP and INS	-	-	1	13,904	-	-	-	-	1	13,904	-	-
E-AP, UP and NYT	-	-	1	269,038	-	-	-	-	1	269,038	1	304,515
E-AP and INS	1	125,204	-	-	-	-	-	-	1	125,204	1	206,900
P-UP Only	-	-	12 (2)	94,984	-	-	-	-	12 (2)	94,984	2	53,812
V-No Service Listed	-	-	1	2,047	-	-	-	-	1	2,047	-	-
TOTAL	1	125,204	37 (3)	630,909	1	17,183	-	-	39 (4)	773,296	7 (5)	595,244

Wisconsin Summary Notes: (1) Total Circulation for 1 Paper (3) Total Circulation for 35 Papers (5) Total Circulation for 6 Papers
(2) " " " 10 Papers (4) " " " 37 "

1728

1402

A. Newspapers Receiving ASSOCIATED PRESS Only.

1. Morning

Town No.	Town	Population	Newspaper	Daily		Sunday		Chicago Tribune Circulation			
				Total	City & Retail Trading Zones	Total	City & Retail Trading Zones	Daily County	Daily City	Sunday County	Sunday City
15	Chicago	3,396,808	Tribune	(1) 1,048,128	843,201	1,195,856	801,154	736,163	626,111	716,434	625,821
14	Charleston	8,197	News	*975 Not Reported		-	-	974	391	2,856	812

2. Evening

1	Alton	31,255	Telegraph	(1)	18,767	17,297	-	-	313	85	763	351
2	Aurora	47,170	Beacon-News	(1)	22,121	21,571	*23,127	Not Reported	11,894	4,258	17,489	6,563
4	Belleville	20,405	Advocate	(1)	7,902	7,163	-	-	337	59	795	219
6	Benton	7,372	News	*Not Reported			-	-	212	91	907	346
8	Cairo	14,407	Citizen	(3)	7,367	6,955	-	-	157	152	595	554
9	Canton	11,577	Ledger & Register	(3)	8,172	7,764	-	-	961	388	1,580	858
10	Carbondale	8,550	Free Press		*2,148	Not Reported	-	-	282	184	831	544
12	Centralia	16,343	Sentinel	(3)	9,261	8,722	-	-	541	308	1,572	918
13	Champaign-Urbana	37,366	Courier	(2)	8,691	8,568	8,706	8,582	4,660	3,398	8,041	5,900
20	Dixon	10,671	Telegraph	(3)	6,832	6,605	-	-	1,736	1,017	2,867	1,994
26	Elgin	38,333	Courier-News	(3)	17,477	16,809	-	-	11,894	4,504	17,489	6,257
27	Flora	5,474	News-Record		*4,588	Not Reported	-	-	111	72	206	132
29	Galena	4,126	Gazette		*1,040	"	-	-	953	350	1,109	665
35	Joliet	42,366	Herald-News	(2)	21,575	23,513	21,642	24,007	10,610	7,810	12,986	9,695
37	Kewanee	16,901	Star-Courier	(3)	9,496	9,106	-	-	1,587	826	3,877	2,084
38	LaSalle	12,812	Post-Tribune	(2)	9,655	8,959	-	-	6,083	1,295	11,014	3,051
41	Lincoln	12,752	Courier	(3)	5,761	5,290	-	-	599	398	1,620	1,194
43	Macomb	8,764	Journal	(3)	6,544	6,325	-	-	1,036	638	1,891	1,294
48	Monmouth	9,096	Review-Atlas	(1)	5,036	4,554	-	-	865	666	1,784	1,359
51	Mt. Vernon	14,724	Register-News	(3)	8,785	8,256	-	-	135	124	585	554
54	Ottawa	16,005	Republican-Times	(3)	10,060	9,509	-	-	6,083	1,422	11,014	2,760
59	Peru	8,983	News-Herald		*3,527	Not Reported	-	-	6,083	129	11,014	1
61	Quincy	40,469	Herald-Whig	(1)	24,770	23,513	25,204	23,933	1,009	907	2,771	2,538
68	Sterling	11,363	Gazette	(3)	8,962	8,568	-	-	2,287	1,574	3,732	2,502
69	Streator	14,930	Times-Press	(2)	9,036	8,223	-	-	6,083	1,287	11,014	2,564
70	Taylorville	8,313	Breeze-Courier	(3)	4,554	4,277	-	-	644	254	1,488	681

3. Morning And Evening

18	Decatur	59,305	Herald-Review	(3)	50,104	45,304	43,541	38,605	1,541	1,788	4,927	4,530
34	Jacksonville	19,844	Courier-Journal	(1)	8,670	8,041	6,037	5,599	606	562	1,835	1,630

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

1. Morning

15	Chicago	3,396,808	Journal of Commerce	*23,285 Not Reported		-	-	736,163	626,111	716,434	625,821

2. Evening

15	Chicago	3,396,808	News	(1)	462,278	396,141	-	-	736,163	626,111	716,434	625,821
15	"	"	Times	(1)	431,281	418,695	430,967	362,382	"	"	"	"
7	Bloomington	32,868	Pantagraph	(3)	27,685	25,265	21,697	20,121	2,755	2,261	5,805	4,482
17	Danville	36,919	Commercial-News	(2)	28,632	26,994	28,815	27,171	2,437	1,864	6,540	5,378
28	Freeport	22,366	Journal Standard	(1)	13,168	12,747	-	-	1,536	1,377	3,969	3,511
30	Galesburg	28,876	Register Mail	(1)	18,969	17,704	-	-	2,039	1,648	5,076	4,316
32	Lawrenceville	6,213	Record		*3,123	Not Reported	-	-	297	188	678	465
64	Rock Island	42,775	Argus	(3)	20,753	19,794	-	-	3,872	1,777	11,973	4,878
66	Shelbyville	4,092	Union		*1,510	Not Reported	-	-	44	226	235	325
72	Waukegan	34,241	News-Sun	(1)	15,169	14,862	-	-	17,957	5,052	21,301	6,812

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

13	Champaign-Urbana	37,366	News-Gazette	(2)	19,163	18,373	19,387	18,287	4,660	3,398	8,041	5,900
22	Duquoin	7,515	Call		*2,622	Not Reported	-	-	115	80	341	276
56	Pontiac	22,241	Republican-News		*15,315	" "	-	-	3,541	2,402	5,835	4,458

19	Champaign-Urbana	37,366	Courier	(2)	8,691	8,568	8,706	8,582	4,660	3,398	8,041	5,900
20	Dixon	10,671	Telegraph	(3)	6,832	6,605	-	-	1,736	1,017	2,867	1,954
26	Elgin	38,333	Courier-News	(3)	17,477	16,809	-	-	11,894	4,504	17,489	6,257
27	Flora	5,474	News-Record		*4,586	Not Reported	-	-	111	72	206	132
29	Galena	4,126	Gazette		*1,040	" "	-	-	953	350	1,109	465
35	Joliet	42,365	Herald-News	(1)	24,575	23,913	24,642	24,007	10,610	7,810	12,986	9,695
37	Kewanee	16,901	Star-Courier	(3)	9,496	9,106	-	-	1,587	826	3,877	2,084
38	LaSalle	12,812	Post-Tribune	(1)	9,655	8,959	-	-	6,083	1,295	11,014	3,051
41	Lincoln	12,752	Courier	(3)	5,781	5,290	-	-	599	398	1,620	1,154
43	Macomb	8,764	Journal	(3)	6,914	6,325	-	-	1,036	638	1,891	1,234
48	Monmouth	9,096	Review-Atlas	(1)	5,036	4,554	-	-	865	666	1,784	1,359
51	Mt. Vernon	14,724	Register-News	(3)	8,725	8,256	-	-	135	124	585	554
54	Ottawa	16,005	Republican-Times	(3)	10,060	9,509	-	-	6,083	1,422	11,014	2,760
59	Peru	8,983	News-Herald		*3,527	Not Reported	-	-	6,083	129	11,014	1
61	Quincy	40,469	Herald-Whig	(1)	24,770	23,513	25,204	23,933	1,009	907	2,771	2,538
68	Sterling	11,363	Gazette	(3)	8,962	8,568	-	-	2,287	1,574	3,732	2,502
69	Streator	14,930	Times-Press	(2)	9,036	8,223	-	-	6,083	1,287	11,014	2,564
70	Taylorville	6,313	Breeze-Courier	(3)	4,554	4,277	-	-	614	254	1,488	681
			3. Morning And Evening									
18	Decatur	59,305	Herald-Review	(3)	50,104	45,304	43,541	38,605	1,941	1,788	4,927	4,530
34	Jacksonville	19,814	Courier-Journal	(1)	8,670	8,041	6,037	5,599	606	562	1,835	1,630

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

1. Morning

15	Chicago	3,396,808	Journal of Commerce	*23,285	Not Reported		-	-	736,163	626,111	716,434	625,821

2. Evening

15	Chicago	3,396,808	News	(1)	462,278	396,141	-	-	736,163	626,111	716,434	625,821
15	"	"	Times	(1)	431,281	418,495	430,167	362,382	"	"	"	"
7	Bloomington	32,868	Pantagraph	(3)	27,685	25,265	21,697	20,121	2,755	2,261	5,805	4,482
17	Danville	36,919	Commercial-News	(2)	28,632	26,994	28,815	27,171	2,437	1,864	6,540	5,378
28	Freeport	22,366	Journal Standard	(1)	13,148	12,747	-	-	1,536	1,377	3,969	3,511
30	Galesburg	28,876	Register Mail	(1)	18,969	17,704	-	-	2,039	1,648	5,076	4,346
39	Lawrenceville	6,213	Record		*3,123	Not Reported	-	-	297	188	678	465
64	Rock Island	42,775	Argus	(3)	20,753	19,794	-	-	3,872	1,777	11,973	4,878
66	Shelbyville	4,092	Union		*1,510	Not Reported	-	-	441	226	835	325
72	Waukegan	34,241	News-Sun	(1)	15,169	14,862	-	-	17,957	5,052	21,301	6,812

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

13	Champaign-Urbana	37,366	News-Gazette	(2)	19,163	18,373	19,387	18,287	4,660	3,398	8,041	5,900
21	Duquoin	7,515	Call		*2,622	Not Reported	-	-	115	80	341	276
36	Kankakee	22,241	Republican-News		*15,315	" "	-	-	3,541	2,402	5,835	4,494

3. Morning and Evening

63	Rockford	84,637	Star & Register-Republic	(1)	56,766	52,964	33,753	30,592	4,339	4,118	12,727	12,273

4. Daily

58	Peoria	105,087	Journal-Transcript	(3)	62,615	53,305	58,959	48,599	3,862	3,596	7,919	7,338

K. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

15	Chicago	3,396,808	Herald-American	(1)	465,397	408,158	889,043	433,381	736,163	626,111	716,434	625,821
47	Moline	34,608	Dispatch	(3)	20,292	19,628	-	-	3,872	1,923	11,973	6,953

3. Morning & Evening

67	Springfield	75,503	Ill. State Register and Ill. State Journal	(3)	79,326	75,610	65,897	62,419	1,788	1,668	5,667	5,117

1728

1403

P. Newspapers Receiving UNITED PRESS Only

1. Morning

Town No.	Town	Population	Newspaper	Daily		Sunday		Chicago Tribune Circulation Daily		Sunday	
				Total	City & Retail Trading Zones	Total	City & Retail Trading Zones	County	City	County	City
15	Chicago	3,396,808	Sun	(1) 308,288	283,759	511,985	382,999	736,163	626,111	746,434	625,821
26	Clinton	6,331	Journal-Public	*2,103 Not Reported		*2,103 Not Reported		579	419	995	600

2. Evening

3	Beardstown	6,505	Illinoian-Star	*2,625 Not Reported		-	-	316	218	571	404
4	Belleville	28,405	News-Democrat	(1) 8,492	7,980	-	-	337	59	795	219
5	Belvidere	8,084	Republican	*4,044 Not Reported		-	-	826	702	1,560	1,306
11	Casey	2,543	Reporter	*Not Reported		-	-	326	107	481	155
14	Charleston	8,197	Courier	*2,763 Not Reported		-	-	974	391	2,856	812
19	DeKalb	9,146	Chronicle	*6,864 " "		-	-	2,485	999	4,043	1,875
22	East St. Louis	75,609	Journal	(1) 14,398	14,086	16,089	15,789	337	77	795	80
23	Edwardsville	8,008	Intelligencer	*4,589 Not Reported		-	-	313	46	783	99
31	Harrisburg	11,463	Register	*5,198 " "		-	-	154	104	682	477
33	Hoopeston	5,381	Chronicle-Herald	*2,620 " "		-	-	2,437	311	6,540	532
40	Lewistown	2,395	Record	*1,114 " "		-	-	961	85	1,580	130
42	Litchfield	7,048	News-Herald	*3,674 " "		-	-	171	68	413	176
44	Marion	9,251	Post	*4,002 " "		-	-	300	174	1,190	579
49	Morris	6,146	Herald	*3,680 " "		-	-	1,233	710	1,973	1,227
50	Mt. Carmel	6,987	Republican-Register	*3,816 " "		-	-	239	207	508	146
52	Murphysboro	8,976	Independent	*4,315 " "		-	-	282	83	831	200
55	Paris	9,281	Beacon-News	*5,290 " "		-	-	688	468	1,431	974
57	Pekin	19,407	Times	*10,186 " "		-	-	580	403	1,353	768
58	Peoria	105,087	Star	(3) 34,141	29,623	37,795	29,336	3,862	3,596	7,919	7,338
60	Pontiac	9,585	Leader	(3) 4,063	3,612	-	-	1,904	743	2,581	1,060
62	Robinson	4,311	News	*4,401 Not Reported		-	-	503	323	917	630
65	Savanna	4,792	Times-Journal	*2,002 " "		-	-	897	369	1,832	1,054
71	Watseka	3,744	Iroquois County Times	*3,688 " "		-	-	1,886	449	2,181	527
73	West Frankfort	12,383	American	*4,220 " "		-	-	212	50	907	354

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

32	Herrin	9,352	Journal	*5,085 Not Reported		-	-	300	73	1,190	380

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

2. Evening

18	Eldorado	4,891	Journal	*2,147 Not Reported		-	-	154	35	682	161
44	Marion	9,251	Republican	*4,060 " "		-	-	300	174	1,190	579
46	Marseilles	4,455	Press	*1,380 " "		-	-	6,083	268	11,014	571
48	Mattoon	15,827	Journal-Gazette	(3) 7,100	6,372	-	-	974	450	2,856	1,779
53	Olney	7,831	Mail	*4,700 Not Reported		-	-	186	140	460	421
74	Wheaton	7,389	Journal	*2,850 " "		-	-	18,076	1,658	19,652	1,733

V. Newspapers With No Press Service Listed

2. Evening

15	Chicago	3,396,808	Calumet	*7,900 Not Reported	-	-	736,163	626,111	746,434	625,821
24	Effingham	6,180	Record	* Not Reported	-	-	589	407	785	560
56	Paxton	3,106	Record	*823 Not Reported	-	-	1,075	456	1,321	495
75	Wood River	8,197	Press	* Not Reported	-	-	313	31	767	61
76	Woodstock	6,123	Sentinel	*3,920 Not Reported	-	-	3,899	838	5,281	1,159

INDIANA

A. Newspapers Receiving ASSOCIATED PRESS Only

1. Morning

Town No.	Town	Population	Newspaper	Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
2	Anderson	41,573	Herald	(4) 14,833	12,225	15,317	12,701	313	180	763	1,180
22	Frankfort	13,706	Times	*8,434	Not Reported		Not Reported	29	286	71	714
40	Logansport	20,177	Press	(3) 11,088	9,287	10,205	9,163	316	685	571	2,017
47	Muncie	49,720	Star	(4) 23,624	21,516	19,473	18,609	250	221	1,732	1,614

2. Evening

2	Anderson	41,573	Bulletin	(4) 19,618	18,573	-	-	477	180	2,247	1,180
3	Attica	3,760	Ledger-Tribune	*2,514	Not Reported	-	-	197	141	392	250
5	Bedford	12,514	Times-Mail	(1) 6,721	6,154	-	-	59	48	202	185
8	Bloomington	20,870	World	(1) 2,738	2,613	-	-	4	165	17	184
14	Connersville	12,898	News-Examiner	*3,252	Not Reported	-	-	865	48	371	180
15	Crawfordsville	11,089	Journal & Review	(2) 9,146	8,304	-	-	118	103	576	485
18	Elkhart	33,434	Truth	(1) 16,180	15,515	-	-	2,563	1,728	5,803	4,082
41	Madison	6,923	Courier	(1) 3,554	3,297	-	-	61	58	58	58
47	Muncie	49,720	Press	(4) 19,599	17,906	-	-	250	221	1,732	1,614
49	New Castle	16,620	Courier-Times	*8,650	Not Reported	-	-	69	57	342	315
59	Seymour	8,620	Tribune	*3,695	"	-	-	16	13	34	26
68	Vincennes	18,228	Sun-Commercial	(2) 12,391	11,690	12,147	11,747	370	335	1,105	956
71	Washington	9,312	Herald	(1) 4,354	4,107	-	-	69	64	124	115

3. Morning and Evening

58	Rushville	5,960	Republican Telegram	*4,132	Not Reported	-	-	14	11	38	38

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

1. Morning

20	Evansville	97,062	Courier	(1) 41,650	39,119	-	-	607	607	2,660	2,686
21	Fort Wayne	118,410	Journal Gazette	(4) 57,003	47,675	56,590	49,699	1,361	1,338	5,141	4,991

2. Evening

13	Columbus	11,738	Republican	(1) 6,787	6,370	-	-	57	96	190	164
39	Kokomo	33,795	Tribune	(3) 16,920	15,914	-	-	433	417	1,897	1,247

3. Morning & Evening

64	Terre Haute	62,693	Star-Tribune	(3) 53,596	50,694	33,207	31,572	1,101	1,089	3,089	2,982

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

21	Fort Wayne	118,410	News-Sentinel	(4) 66,840	61,831	-	-	1,361	1,338	5,141	4,991
24	Gary	111,719	Post-Tribune	(2) 32,510	31,776	-	-	25,080	9,308	33,785	12,708
26	LaFayette	28,738	Journal & Courier	(3) 35,840	33,750	-	-	1,686	1,685	4,360	4,188
44	Michigan City	26,496	News-Dispatch	(1) 9,570	9,223	-	-	3,367	1,690	7,898	3,988
61	South Bend	101,268	Tribune	(1) 77,141	69,647	75,185	67,695	5,254	4,176	10,876	8,614

3. Morning & Evening

42	Marion	26,767	Chronicle Leader-Tribune	(3) 18,699	18,139	17,780	17,288	668	644	1,885	1,735
60	Shelbyville	10,791	Democrat Republican	(4) 6,853	5,764	4,743	3,907	44	43	855	890

F. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and SOUTH AMERICAN NEWSPAPER ALLIANCE and CHICAGO DAILY NEWS

1. Morning

32	Indianapolis	386,972	Star	(4) 138,502	102,343	178,992	144,001	1,197	1,186	5,788	5,756

J. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, SCRIPPS-HOWARD NEWSPAPER ALLIANCE

2. Evening

2	Anderson	41.572	Bulletin	(4)	19.618	18.573	-	-	477	180	2.147	1.420
3	Attica	3.760	Ledger-Tribune		2.514	Not Reported	-	-	197	141	392	280
5	Bedford	12.514	Times-Mail	(1)	6.721	6.154	-	-	99	48	202	183
8	Bloomington	20.870	World	(1)	2.738	2.613	-	-	4	165	17	464
14	Connersville	12.898	News-Examiner		3.292	Not Reported	-	-	865	48	371	188
15	Crawfordsville	11.089	Journal & Review	(2)	9.146	8.304	-	-	118	105	376	485
16	Elkhart	33.434	Truth	(2)	16.180	15.515	-	-	2.563	1.728	5.809	4.082
41	Madison	6.983	Courier	(1)	3.554	3.297	-	-	61	58	98	98
47	Muncie	49.780	Press	(4)	19.999	17.906	-	-	250	221	1.732	1.644
49	New Castle	16.680	Courier-Times		8.650	Not Reported	-	-	69	57	348	325
59	Seymour	8.680	Tribune		3.695	"	-	-	16	15	36	26
68	Vincennes	18.288	Sun-Commercial	(2)	12.321	11.690	12.147	11.747	370	335	1.105	926
71	Washington	9.512	Herald	(1)	4.554	4.107	-	-	69	64	128	115

3. Morning and Evening

58	Rushville	5.960	Republican Telegram		4.132	Not Reported	-	-	14	11	38	38

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

1. Morning

20	Evansville	97.062	Courier	(1)	41.650	39.119	-	-	607	607	2.660	2.486
21	Fort Wayne	118.410	Journal Gazette	(4)	57.005	47.675	56.990	49.499	2.361	1.398	5.161	4.991

2. Evening

13	Columbus	11.738	Republican	(1)	6.787	6.370	-	-	57	96	190	164
35	Kokomo	33.795	Tribune	(3)	16.920	15.914	-	-	439	417	1.897	1.847

3. Morning & Evening

44	Terre Haute	62.695	Star-Tribune	(3)	53.596	50.654	53.807	51.572	1.101	1.089	3.089	2.982

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

21	Fort Wayne	118.410	News-Sentinel	(4)	66.840	61.851	-	-	1.361	1.398	5.161	4.991
24	Gary	111.729	Post-Tribune	(2)	32.510	31.776	-	-	85.080	9.348	33.735	32.708
26	LaFayette	28.778	Journal & Courier	(3)	15.840	15.750	-	-	1.486	1.185	4.320	4.188
34	Michigan City	26.476	News-Dispatch	(2)	9.970	9.285	-	-	3.387	1.499	7.898	3.988
61	South Bend	101.268	Tribune	(1)	77.161	69.647	75.185	67.695	5.854	4.176	10.896	8.614

3. Morning & Evening

42	Marion	26.767	Chronicle Leader-Tribune	(3)	18.699	18.139	17.780	17.288	668	644	1.885	1.735
60	Shelbyville	10.791	Democrat Republican	(4)	6.853	5.764	4.748	3.907	44	38	838	830

F. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and NORTH AMERICAN NEWSPAPER ALLIANCE and CHICAGO DAILY NEWS

1. Morning

32	Indianapolis	386.972	Star	(4)	158.902	102.343	178.982	114.002	1.197	1.186	5.788	5.736

J. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, SCRIPPS-HOWARD NEWSPAPER ALLIANCE

2. Evening

20	Evansville	97.062	Press	(1)	55.326	51.658	61.371	55.180	607	607	2.482	2.486

K. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

3. Morning and Evening

56	Richmond	35.147	Palladium-Item	(1)	24.895	24.367	24.788	24.256	893	841	1.189	1.147

1781

1405

P. Newspapers Receiving UNITED PRESS Only

2. Evening

Town No.	Town	Population	Newspaper	Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
4	Auburn	5,115	Star	•2,087	Not Reported	-	-	580	858	965	1,476
9	Bluffton	5,417	News-Banner	•3,918	" "	-	-	92	70	250	233
10	Brazil	8,126	Times	•4,161	" "	-	-	60	37	478	246
12	Columbia City	4,219	Commercial Mail	•1,426	" "	-	-	193	156	534	375
12	" "	"	Post	•1,795	" "	-	-	"	"	"	"
16	Decatur	5,861	Democrat	•3,637	" "	-	-	85	60	389	272
19	Elwood	10,913	Call-Leader	•2,281	" "	-	-	477	184	2,847	555
25	Goshen	11,375	News-Democrat	•5,726	" "	-	-	2,563	558	5,805	1,190
26	Greencastle	4,872	Banner	•3,890	" "	-	-	63	37	157	125
30	Hartford City	6,946	News-Times	•5,281	" "	-	-	78	64	329	278
31	Huntington	13,903	Herald-Press	(4) 6,980	6,684	7,047	6,752	485	452	1,048	949
32	Indianapolis	386,972	News	(4) 162,633	133,479	-	-	1,197	1,186	5,788	5,736
32	"	"	Times	(4) 92,147	85,644	-	-	"	"	"	"
34	Kendallville	5,431	News-Sun	•2,650	Not Reported	-	-	486	265	895	510
37	LaPorte	16,180	Herald-Argus	(1) 8,646	8,139	-	-	3,367	1,457	7,838	3,290
38	Lebanon	6,529	Reporter	•4,084	Not Reported	-	-	86	34	284	165
39	Linton	6,263	Citizen	•4,290	" "	-	-	16	6	304	172
40	Logansport	20,177	Pharos-Tribune	(3) 13,284	12,175	-	-	720	685	2,136	2,017
43	Martinsville	5,009	Reporter	•2,842	Not Reported	-	-	43	42	172	125
45	Monticello	3,153	Herald-Journal	•3,051	" "	-	-	310	161	646	298
46	Mt. Vernon	5,698	Democrat	•2,710	" "	-	-	48	29	93	87
51	Peru	12,432	Tribune	(4) 7,117	6,627	-	-	399	380	1,188	1,095
52	Plymouth	5,713	News Pilot	•4,198	Not Reported	-	-	678	309	1,085	495
53	Portland	6,362	Commercial Review	•3,667	" "	-	-	73	56	192	120
53	"	"	Sun	•2,847	" "	-	-	"	"	"	"
54	Princeton	7,786	Clarion News	(1) 2,085	1,935	-	-	103	66	336	226
54	"	"	Democrat	(1) 2,298	2,185	-	-	"	"	"	"
65	Sullivan	5,077	Times	•2,720	Not Reported	-	-	110	67	389	188
67	Valparaiso	8,736	Vidette-Messenger	•4,810	" "	-	-	2,021	1,195	3,186	2,080

3. Morning & Evening

69	Wabash	9,653	Times-Star & Plain Dealer	(4) 5,787	5,317	-	-	414	266	850	537
70	Warsaw	6,378	Times Union	•6,033	Not Reported	-	-	914	583	1,490	926

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

1	Alexandria	4,801	Times-Tribune	•1,346	Not Reported	-	-	477	76	2,247	150
11	Clinton	7,092	Clintonian	•3,764	" "	-	-	285	134	503	272

R. Newspapers Receiving UNITED PRESS, INTERNATIONAL NEWS SERVICE and CONSOLIDATED PRESS

2. Evening

29	Hammond	70,184	Times	(1) 28,785	28,165	28,420	27,787	25,080	5,503	33,725	7,747

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

1. Morning

32	Indianapolis	386,972	Commercial	•1,105	Not Reported	-	-	1,197	1,186	5,788	5,736
66	Union City	3,535	Times-Gazette	•1,994	" "	-	-	128	54	363	88
72	Winchester	5,303	Journal-Herald	•1,491	" "	-	-	128	67	363	201
72	"	"	News	•1,765	" "	-	-	"	"	"	"

2. Evening

1	Alexandria	4,801	News	•864	Not Reported	-	-	477	76	2,247	150
7	Bloomfield	2,270	World	•3,026	" "	-	-	16	8	304	54
8	Bloomington	20,870	Telephone	(1) 6,102	5,691	-	-	165	165	484	484
23	Franklin	6,264	Star	•4,082	Not Reported	-	-	23	6	109	38
27	Greenfield	4,821	Reporter	•2,510	" "	-	-	20	11	62	37
28	Greensburgh	6,065	News	•3,854	" "	-	-	21	21	81	73

31	Muncie			(4)	92,447	85,614	-	-	486	265	895	510
32	Indianapolis	386,972	News		*2,650	Not Reported	-	-	3,367	1,457	7,838	3,830
32	"		Times	(1)	8,646	8,139	-	-	86	34	284	165
34	Kendallville	5,431	News-Sun		*4,084	Not Reported	-	-	45	6	304	172
37	LaPorte	16,180	Herald-Argus		*4,290	"	-	-	720	685	2,136	2,017
38	Lebanon	6,529	Reporter	(3)	13,884	12,175	-	-	43	42	172	125
39	Linton	6,263	Citizen		*2,842	Not Reported	-	-	310	161	646	288
40	Logansport	20,177	Pharos-Tribune		*3,051	" "	-	-	48	89	98	82
43	Martinsville	5,009	Reporter		*2,710	" "	-	-	399	340	1,188	1,095
46	Monticello	3,153	Herald-Journal	(4)	7,117	6,627	-	-	678	300	1,085	485
48	Mt. Vernon	5,698	Democrat		*4,198	Not Reported	-	-	73	54	198	180
51	Peru	12,192	Tribune		*3,167	" "	-	-	"	"	"	"
52	Plymouth	5,713	News Pilot		*2,847	" "	-	-	103	66	336	226
53	Portland	6,362	Commercial Review						"	"	"	"
53	"		Sun	(1)	2,085	1,935	-	-				
54	Princeton	7,786	Clarion News	(1)	2,298	2,185	-	-	110	67	399	188
54	"		Democrat		*3,720	Not Reported	-	-				
63	Sullivan	5,077	Times		*4,810	" "	-	-	2,021	1,195	3,186	2,080
67	Valparaiso	8,736	Vidette-Messenger									

3. Morning & Evening

69	Wabash	9,653	Times-Star & Plain Dealer	(4)	5,787	5,317	-	-	424	266	850	537
70	Warsaw	6,378	Times Union		*6,033	Not Reported	-	-	924	583	1,490	926

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

1	Alexandria	4,801	Times-Tribune		*1,346	Not Reported	-	-	477	76	2,247	350
11	Clinton	7,092	Clintonian		*3,764	" "	-	-	225	144	503	272

R. Newspapers Receiving UNITED PRESS, INTERNATIONAL NEWS SERVICE and CONSOLIDATED PRESS

2. Evening

29	Hammond	70,184	Times	(1)	28,785	28,165	28,480	27,787	25,080	5,503	33,725	7,747

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

1. Morning

32	Indianapolis	386,972	Commercial		*1,105	Not Reported	-	-	1,197	1,186	5,788	5,756
66	Union City	3,535	Times-Gazette		*1,994	" "	-	-	128	84	363	88
72	Winchester	5,303	Journal-Herald		*1,491	" "	-	-	128	67	363	201
72	"		News		*1,765	" "	-	-	"	"	"	"

2. Evening

1	Alexandria	4,801	News		*864	Not Reported	-	-	477	76	2,247	350
7	Bloomfield	2,270	World		*3,026	" "	-	-	46	8	304	54
8	Bloomington	20,870	Telephone	(1)	6,102	5,691	-	-	165	149	481	484
25	Franklin	6,264	Star		*4,082	Not Reported	-	-	23	6	103	38
27	Greenfield	4,821	Reporter		*2,510	" "	-	-	20	11	62	57
28	Greensburgh	6,065	News		*3,854	" "	-	-	21	21	81	73
50	Noblesville	5,575	Ledger		*4,008	" "	-	-	60	48	205	100
57	Rochester	3,835	News-Sentinel		*3,125	" "	-	-	316	260	963	435
71	Washington	9,312	Democrat		*4,553	" "	-	-	69	64	124	135

V. Newspapers With No Press Service Listed

2. Evening

6	Bicknell	5,110	News		*2,527	Not Reported	-	-	370	18	1,105	64
17	Elkhart	2,166	Courier		*1,860	" "	-	-	23	4	103	13
31	Huntington	13,903	News		*	Not Reported	Not Reported		185	152	1,048	946
33	Jeffersonville	11,497	News		*2,424	Not Reported	-	-	8	3	-	-
38	New Albany	25,414	Tribune		*5,255	" "	-	-	18	17	39	39
58	Rensselaer	3,214	Republican		*1,988	" "	-	-	444	299	699	478
62	Spencer	2,375	World		*2,913	" "	-	-	21	18	37	37
65	Tipton	5,101	Tribune		*2,798	" "	-	-	82	62	120	99

1732

1406

IOWA

A. Newspapers Receiving ASSOCIATED PRESS Only

1. Morning

Town No.	Town	Population	Newspaper		Daily: Total	Daily: City & Retail Trading Zones	Sunday: Total	Sunday: City & Retail Trading Zones	Chicago Tribune Circulation: Daily: County	Daily: City	Sunday: County	Sunday: City
21	Iowa City	17,182	Iowan		*3,[illegible]	Not Reported	*3,[illegible]	Not Reported	[illegible]	[illegible]	1,[illegible]	1,[illegible]

2. Evening

4	Burlington	25,832	Hawk-Eye Gazette	(1)	19,349	18,601	-	-	827	801	1,706	1,694
5	Carroll	5,389	Times-Herald		*4,196	Not Reported	-	-	98	32	181	48
8	Centerville	8,413	Iowegian & Citizen		*5,186	" "	-	-	96	62	116	110
9	Charles City	8,681	Press		*3,732	" "	-	-	90	66	178	160
10	Cherokee	7,486	Times		*3,678	" "	-	-	37	20	101	74
12	Council Bluffs	41,439	Nonpareil	(1)	15,248	14,614	14,710	14,038	49	46	47	5
13	Creston	8,033	News-Advertiser		*4,843	Not Reported	-	-	86	61	89	89
17	Estherville	5,681	News		*2,981	" "	-	-	37	35	24	24
21	Iowa City	17,182	Press-Citizen	(1)	7,997	7,531	-	-	485	430	1,085	1,052
23	Marshalltown	19,240	Times-Republican	(2)	11,318	10,581	-	-	184	162	432	420
25	Missouri Valley	3,994	Times		*1,944	Not Reported	-	-	12	9	48	30
27	Muscatine	18,286	Journal & News Tribune	(1)	7,848	7,848	-	-	856	582	970	835
29	Newton	10,462	News		*5,385	Not Reported	-	-	92	61	162	125
32	Ottumwa	31,570	Courier	(1)	15,313	14,371	-	-	422	402	1,075	1,030
33	Perry	5,977	Chief		*4,132	Not Reported	-	-	32	20	72	44
36	Spencer	6,899	Reporter		*5,287	" "	-	-	74	66	69	69
40	Webster City	8,738	Freeman-Journal		*[illegible],118	" "	-	-	57	38	86	68

3. Morning and Evening

35	Sioux City	82,386	Journal-Tribune	(1)	34,712	76,548	36,806	31,594	163	163	806	764

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

14	Davenport	66,089	Democrat	(3)	14,917	14,088	19,474	18,861	1,992	1,932	4,947	4,826
14	" "	"	Times	(3)	28,810	28,534	-	-	"	"	"	"
24	Mason City	27,080	Globe Gazette	(2)	19,230	18,388	-	-	184	184	428	390

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

3	Boone	12,373	News-Republican	(2)	4,162	4,061	-	-	94	86	186	161
7	Cedar Rapids	62,120	Gazette	(1)	45,745	40,540	44,307	39,144	1,208	1,089	2,323	2,106
11	Clinton	26,270	Herald	(3)	18,941	17,989	-	-	1,448	1,346	2,796	2,589
16	Dubuque	43,892	Telegraph-Herald	(1)	31,818	30,089	32,268	30,871	1,456	1,341	2,560	2,380
39	Waterloo	51,743	Courier	(4)	36,823	36,358	35,892	36,297	704	608	1,531	1,161

D. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and CHICAGO DAILY NEWS

3. Morning and Evening

15	Des Moines	159,819	Register Tribune	(1)	322,946	216,713	287,348	175,169	470	457	1,248	1,245

F. Newspapers Receiving UNITED PRESS Only

2. Evening

1	Ames	12,555	Tribune		*4,632	Not Reported	-	-	144	97	246	178
20	Fort Madison	14,048	Democrat		*5,289	" "	-	-	1,286	583	2,111	886
22	Keokuk	15,076	Gate City	(4)	6,374	6,108	-	-	1,286	983	2,111	1,184
30	Oelwein	7,801	Register		*4,078	Not Reported	-	-	217	118	258	154
31	Oskaloosa	11,024	Herald	(1)	5,339	5,343	-	-	89	52	111	98
34	Shenandoah	6,946	Sentinel		*5,451	Not Reported	-	-	93	52	85	67
38	Washington	5,227	Journal	(1)	3,214	2,745	-	-	173	118	209	114

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

12	Council Bluffs	41,439	Nonpareil	(1)	*5,476	"	"	-	-	99	86	178	140
13	Creston	8,035	News-Advertiser		15,248	14,614	14,710	14,088		57	80	101	74
17	Estherville	5,851	News		*4,643	Not Reported		-	-	49	46	47	3
21	Iowa City	17,182	Press-Citizen	(1)	*2,981	"	"	-	-	85	81	89	89
23	Marshalltown	19,240	Times-Republican	(2)	7,987		7,531	-	-	37	35	24	24
25	Missouri Valley	3,994	Times		11,018		10,561	-	-	485	430	1,093	1,052
27	Muscatine	16,286	Journal & News Tribune	(1)	*1,944	Not Reported		-	-	184	162	432	420
29	Newton	10,462	News		7,848		7,548	-	-	12	9	48	20
32	Ottumwa	31,570	Courier	(1)	*5,386	Not Reported		-	-	656	582	970	835
33	Perry	5,977	Chief		15,313		14,371	-	-	92	61	182	125
36	Spencer	6,599	Reporter		*4,132	Not Reported		-	-	422	402	1,075	1,030
40	Webster City	8,738	Freeman-Journal		*5,287	"	"	-	-	32	20	72	44
					*3,118	"	"	-	-	74	64	69	69
										57	38	88	88

3. Morning and Evening

35	Sioux City	82,364	Journal-Tribune	(1)	84,712		76,548	56,805	51,584	183	163	806	784

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

14	Davenport	66,032	Democrat	(3)	14,917		14,089	19,474	18,596	1,992	1,932	4,947	4,828
14	" "	"	Times	(3)	26,310		25,536	-	-	"	"	"	"
24	Mason City	27,080	Globe Gazette	(2)	19,220		18,356	-	-	184	184	428	390

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

3	Boone	12,373	News-Republican	(2)	4,162		4,081	-	-	94	85	165	161
7	Cedar Rapids	62,120	Gazette	(1)	45,745		40,540	44,307	39,144	1,208	1,089	2,823	2,105
11	Clinton	26,270	Herald	(3)	18,941		17,989	-	-	1,448	1,346	2,798	2,559
16	Dubuque	43,892	Telegraph-Herald	(1)	31,819		30,098	32,268	30,571	1,436	1,351	2,550	2,390
39	Waterloo	51,743	Courier	(4)	36,223		35,838	35,892	35,397	704	608	1,331	1,161

D. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and CHICAGO DAILY NEWS

3. Morning and Evening

15	Des Moines	159,819	Register Tribune	(1)	322,946		216,713	307,348	175,149	470	457	1,245	1,245

F. Newspapers Receiving UNITED PRESS Only

2. Evening

1	Ames	12,535	Tribune		*4,632	Not Reported		-	-	144	97	246	178
20	Fort Madison	14,068	Democrat		*5,289	"	"	-	-	1,264	583	2,111	858
22	Keokuk	15,076	Gate City	(4)	8,374		8,102	-	-	1,264	668	2,111	1,184
30	Oelwein	7,801	Register		*4,078	Not Reported		-	-	217	118	258	154
31	Oskaloosa	11,024	Herald	(1)	5,539		5,343	-	-	89	52	111	96
34	Shenandoah	6,846	Sentinel		*3,451	Not Reported		-	-	93	52	83	97
38	Washington	5,227	Journal	(1)	3,214		2,746	-	-	175	118	209	114

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

2. Evening

2	Atlantic	5,802	News-Telegraph		*5,059	Not Reported		-	-	49	40	80	56
18	Fairfield	8,773	Ledger		*4,547	"	"	-	-	180	121	163	180
19	Fort Dodge	22,904	Messenger & Chronicle	(1)	13,919		13,194	-	-	188	178	461	457
26	Mt. Pleasant	4,610	News		*3,015	Not Reported		-	-	172	138	244	192
28	Nevada	3,353	Journal		*4,392	"	"	-	-	144	28	246	44
37	Vinton	4,168	Cedar Valley Times		*4,652	"	"	-	-	269	37	481	64

V. Newspapers with No Press Service Listed

2. Evening

6	Cedar Falls	9,349	Record		*2,446	Not Reported		-	-	704	82	1,331	181

1733

1402

MICHIGAN

A. Newspapers Receiving ASSOCIATED PRESS Only

1. Morning

Town No.	Town	Population	Newspaper		Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
15	Escanaba	14,830	Press	(3)	7,661	6,861	7,896	7,090	547	367	1,268	989
22	Houghton	5,693	Morning Gazette		*6,814	Not Reported	Not Reported		380	61	776	453
31	Marquette	15,928	Morning Journal	(1)	10,029	8,438	-	-	614	264	2,366	1,111

2. Evening

1	Adrian	14,230	Telegram	(1)	11,944	11,362	-	-	142	77	225	127
4	Ann Arbor	29,815	News	(3)	14,670	14,168	-	-	215	152	465	401
6	Bay City	47,956	Times	(3)	28,634	26,211	28,412	26,017	45	44	143	131
7	Benton Harbor	16,668	News Palladium	(3)	14,150	13,171	-	-	4,267	2,200	8,500	4,636
10	Calumet	1,460	News-Journal		*3,062	Not Reported	-	-	380	78	776	110
17	Grand Haven	8,799	Tribune		*8,202	" "	-	-	497	128	1,786	561
20	Hillsdale	6,381	News	(1)	5,829	5,476	-	-	126	73	144	86
23	Ionia	6,392	Sentinel Standard		*3,317	Not Reported	-	-	57	30	130	61
24	Iron Mountain	11,080	News	(1)	7,498	7,264	-	-	396	300	1,468	1,160
25	Ironwood	13,389	Globe	(1)	7,115	6,725	-	-	203	151	909	820
29	Ludington	8,701	News	(1)	4,231	3,949	-	-	203	154	398	336
33	Menominee	10,230	Herald-Leader	(3)	4,504	4,240	-	-	328	233	866	590
35	Monroe	18,478	News	(3)	10,396	9,751	-	-	21	17	65	27
37	Niles	11,328	Star		*4,011	Not Reported	-	-	4,267	770	8,500	1,409
38	Owosso	14,424	Argus-Press	(3)	9,823	9,396	-	-	35	31	49	48
44	St. Joseph	8,963	Herald-Press	(3)	5,768	5,351	-	-	4,267	113	8,500	22
45	Sault Ste. Marie	15,847	News		*7,384	Not Reported	-	-	88	74	149	133

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

5	Battle Creek	43,453	Enquirer & News	(1)	27,828	26,659	27,842	26,530	1,893	1,728	3,872	3,447
8	Big Rapids	4,987	Pioneer		*3,689	Not Reported	-	-	41	27	89	71
16	Flint	151,543	Journal	(3)	61,428	59,985	60,564	58,872	93	73	173	156
18	Grand Rapids	164,292	Press	(1)	95,810	80,481	-	-	503	480	4,288	4,129
26	Jackson	49,656	Citizen-Patriot	(3)	30,746	28,906	30,913	29,075	271	257	491	479
27	Kalamazoo	54,097	Gazette	(2)	34,384	33,230	34,473	33,267	2,170	2,009	4,022	3,695
43	Saginaw	82,794	News	(3)	33,836	32,629	33,885	32,686	117	109	227	212

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

28	Lansing	78,753	State Journal	(2)	48,872	44,450	46,047	41,871	340	312	685	668
36	Muskegon	47,697	Chronicle	(1)	30,091	29,207	-	-	613	388	3,818	3,452
40	Pontiac	66,626	Press	(3)	37,509	35,081	-	-	91	42	63	22
41	Port Huron	32,759	Times Herald	(3)	24,171	23,256	23,934	23,024	27	27	55	55
50	Ypsilanti	12,121	Press		*4,168	Not Reported	-	-	215	31	465	49

H. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, CHICAGO TRIBUNE SERVICE And NEW YORK TIMES SERVICE

1. Morning

13	Detroit	1,623,452	Free Press	(1)	328,293	258,171	321,135	207,741	811	786	913	906

I. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, NORTH AMERICAN NEWSPAPER ALLIANCE And CHICAGO DAILY NEWS

2. Evening

13	Detroit	1,623,452	News	(1)	371,726	355,066	447,360	380,001	811	786	913	906

K. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

1. Morning

18	Grand Rapids	164,292	Herald	(1)	47,004	33,545	37,912	34,382	503	480	4,288	4,129

P. Newspapers Receiving UNITED PRESS Only

4	Ann Arbor	29,815	News	(3)	[illegible]	[illegible]			45	44	143	131
6	Bay City	47,956	Times	(3)	28,654	26,211	28,412	26,017	45	44	143	131
7	Benton Harbor	16,668	News Palladium	(3)	14,150	13,171	-	-	4,267	2,200	8,500	4,836
10	Calumet	1,460	News-Journal		*3,062	Not Reported	-	-	380	78	776	110
17	Grand Haven	8,799	Tribune		*3,202	"	-	-	497	128	1,786	561
20	Hillsdale	6,381	News	(1)	5,829	5,476	-	-	126	73	144	86
23	Ionia	6,392	Sentinel Standard		*3,317	Not Reported	-	-	57	30	130	61
24	Iron Mountain	11,080	News	(1)	7,498	7,264	-	-	398	300	1,466	1,180
25	Ironwood	13,369	Globe	(1)	7,115	6,726	-	-	203	151	909	820
29	Ludington	8,701	News	(1)	4,231	3,949	-	-	203	154	398	336
33	Menominee	10,230	Herald-Leader	(3)	4,504	4,240	-	-	328	233	866	590
35	Monroe	18,478	News	(3)	10,396	9,751	-	-	21	17	65	27
37	Niles	11,328	Star		*4,011	Not Reported	-	-	4,267	770	8,500	1,409
38	Owosso	14,424	Argus-Press	(3)	9,623	9,396	-	-	35	31	49	48
44	St. Joseph	8,965	Herald-Press	(3)	5,768	5,351	-	-	4,267	115	8,500	22
45	Sault Ste. Marie	15,847	News		*7,384	Not Reported	-	-	88	74	149	133

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

5	Battle Creek	43,453	Enquirer & News	(1)	27,828	26,659	27,842	26,550	1,893	1,728	3,672	3,447
8	Big Rapids	4,987	Pioneer		*3,689	Not Reported	-	-	41	27	89	71
16	Flint	151,543	Journal	(3)	61,428	59,965	60,364	58,872	93	73	173	156
18	Grand Rapids	164,292	Press	(1)	96,810	80,481	-	-	503	480	4,288	4,129
26	Jackson	49,656	Citizen-Patriot	(3)	30,746	28,905	30,913	29,075	271	257	491	479
27	Kalamazoo	54,097	Gazette	(2)	34,384	33,230	34,473	33,267	2,170	2,009	4,022	3,695
43	Saginaw	82,794	News	(3)	33,836	32,629	33,885	32,686	117	109	227	212

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

28	Lansing	78,753	State Journal	(2)	48,872	44,430	46,047	41,871	340	312	685	668
36	Muskegon	47,697	Chronicle	(1)	30,091	29,207	-	-	613	388	3,818	3,452
40	Pontiac	66,626	Press	(3)	37,509	35,081	-	-	91	42	63	22
41	Port Huron	32,759	Times Herald	(3)	24,171	23,255	23,934	23,024	27	27	55	55
50	Ypsilanti	12,121	Press		*4,168	Not Reported	-	-	215	31	466	49

H. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, CHICAGO TRIBUNE SERVICE And NEW YORK TIMES SERVICE

1. Morning

13	Detroit	1,623,452	Free Press	(1)	328,293	258,171	321,135	207,741	811	786	913	906

I. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, NORTH AMERICAN NEWSPAPER ALLIANCE And CHICAGO DAILY NEWS

2. Evening

13	Detroit	1,623,452	News	(1)	371,726	355,066	447,360	380,001	811	786	913	906

K. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

1. Morning

18	Grand Rapids	164,292	Herald	(1)	47,004	33,545	37,912	34,382	503	480	4,288	4,129

P. Newspapers Receiving UNITED PRESS Only

2. Evening

2	Albion	8,348	Recorder		*2,819	Not Reported	-	-	1,893	56	3,672	81
3	Alpena	12,808	News	(3)	5,721	5,319	-	-	7	7	12	12
9	Cadillac	9,655	News		*4,142	Not Reported	-	-	47	47	122	120
11	Cheboygan	5,873	Tribune		*3,998	" "	-	-	7	1	6	1
12	Coldwater	7,343	Reporter		*3,132	" "	-	-	508	358	619	465
14	Dowagiac	5,007	News		*2,482	" "	-	-	654	368	925	589
19	Greenville	5,321	News		*2,475	" "	-	-	48	35	78	36
21	Holland	14,616	Sentinel		*7,268	" "	-	-	497	288	1,786	841
30	Manistee	8,884	News-Advocate		*3,426	" "	-	-	206	156	362	303
32	Marshall	5,253	Chronicle	(3)	3,002	2,824	-	-	1,893	72	3,672	105
34	Midland	10,329	News		*5,088	Not Reported	-	-	12	12	5	5
39	Petoskey	6,019	News		*2,621	" "	-	-	50	38	106	75
42	Royal Oak	25,087	Tribune	(1)	13,954	13,776	-	-	91	7	63	10
46	South Haven	4,745	Tribune	(4)	2,309	1,960	-	-	1,436	384	2,154	775
47	Sturgis	7,214	Journal		*5,815	Not Reported	-	-	1,182	478	1,620	654
48	Three Rivers	8,710	Commercial	(1)	3,667	3,426	-	-	1,182	463	1,620	648
49	Traverse City	14,455	Record-Eagle		*6,525	Not Reported	-	-	163	150	261	238

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

13	Detroit	1,623,452	Times	(1)	329,450	289,444	463,444	308,583	811	786	913	906

1734

1408

MINNESOTA

A. Newspapers Receiving ASSOCIATED PRESS Only

1. Morning

Town No.	Town	Population	Newspaper		Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
17	Owatonna	8,894	People's Press		*5,921	Not Reported	*5,921	Not Reported	15	12	71	58
						2. Evening						
1	Albert Lea	12,200	Tribune	(3)	8,992	8,702	-	-	45	46	187	125
2	Austin	18,307	Herald	(1)	7,348	7,123	-	-	51	36	138	184
3	Benidji	9,427	Pioneer		*2,975	Not Reported	-	-	9	7	34	24
5	Crookston	214	Times		*3,825	" "	-	-	11	11	75	68
7	Fairmont	6,988	Sentinel		*6,852	" "	-	-	4	3	42	21
8	Faribault	14,827	News		*5,673	" "	-	-	36	16	77	38
9	Fergus Falls	10,868	Journal	(2)	10,814	9,886	-	-	5	4	75	26
10	Hibbing	16,386	Tribune	(4)	8,815	8,442	-	-	196	38	981	101
11	International Falls	5,626	Journal		*2,945	Not Reported	-	-	17	15	61	38
12	Little Falls	6,047	Transcript		*3,149	" "	-	-	8	2	8	-
13	Mankato	15,654	Free Press	(3)	12,816	11,970	-	-	76	75	288	316
14	Minneapolis	492,370	Times	(3)	65,742	59,779	-	-	680	655	1,142	1,092
16	New Ulm	8,743	Journal		*4,199	Not Reported	-	-	18	9	60	18
25	Willmar	7,623	Tribune		*5,309	" "	-	-	8	6	16	14
27	Worthington	5,918	Globe		*5,089	" "	-	-	7	4	21	8
						3. Morning & Evening						
6	Duluth	101,065	Herald News-Tribune	(4)	69,819	62,948	49,740	44,989	196	92	981	880

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

19	Rochester	26,312	Post-Bulletin	(1)	12,349	12,041	-	-	390	382	841	611
20	St. Cloud	24,173	Times	(2)	10,822	9,853	-	-	51	36	92	82
26	Winona	22,490	Republican-Herald	(4)	15,439	14,945	-	-	307	198	803	447
						3. Morning & Evening						
21	St. Paul	287,736	Pioneer-Press Dispatch	(4)	178,012	155,636	113,698	82,066	374	372	874	842

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, INTERNATIONAL NEWS SERVICE and CHICAGO DAILY NEWS

3. Morning & Evening

14	Minneapolis	492,370	Star Journal Tribune	(3)	324,232	227,896	373,398	233,978	680	655	1,142	1,092

V. Newspapers Receiving UNITED PRESS Only

2. Evening

4	Brainerd	12,071	Dispatch		*5,276	Not Reported	-	-	7	4	129	129
15	Moorehead	9,491	News		*5,800	" "	-	-	4	3	43	-
18	Red Wing	9,982	Republicn Eagle	(1)	5,250	4,947	-	-	37	36	112	91
22	South St. Paul	11,844	Reporter		*4,206	Not Reported	-	-	28	2	45	-
23	Stillwater	7,013	Gazette		*1,525	" "	-	-	9	7	53	42
24	Virginia	12,284	Enterprise		*5,563	" "	-	-	196	31	981	120

MISSOURI

A. Newspapers Receiving ASSOCIATED PRESS Only

2. Evening

Town No.	Town	Population	Newspaper		Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
2	Bonneville	6,089	News		*2,697	Not Reported	-	-	3	3	14	14
5	Cape Girardeau	19,486	Southeast Missourian	(3)	10,033	9,130	-	-	19	17	43	43
6	Carrollton	4,070	Democrat		*1,745	Not Reported	-	-	-	-	19	16
7	Carthage	10,395	Press		*3,619	" "	-	-	28	5	263	20
10	Columbia	18,399	Tribune	(4)	5,726	5,317	-	-	41	41	196	177
12	Fulton	8,877	Sun-Gazette		*2,375	Not Reported	-	-	2	-	30	29
13	Hannibal	20,666	Courier-Post	(4)	7,852	7,476	-	-	73	72	377	333
20	Lebanon	5,085	News		*911	Not Reported	-	-	3	3	31	31
22	Macon	4,206	Chronicle-Herald		*4,584	" "	-	-	2	1	27	27
23	Marshall	8,533	Democrat-News		*2,812	" "	-	-	-	-	23	-
24	Maryville	5,700	Forum	(3)	4,676	4,108	-	-	14	13	89	63
25	Moberly	12,980	Monitor-Index & Democrat	(4)	6,343	5,884	-	-	21	21	95	95
27	Monett	4,995	Times		*2,304	Not Reported	-	-	-	-	22	8
29	Nevada	8,181	Mail & Post		*2,450	" "	-	-	1	-	-	-
30	Poplar-Bluff	11,163	American Republic		*8,100	" "	-	-	12	12	57	45
33	St. Charles	10,803	Banner-News		*2,017	" "	-	-	8	8	23	23
36	Trenton	7,046	Republican-Times		*2,617	" "	-	-	2	2	9	-

3. Morning & Evening

16	Joplin	37,144	Globe & News Herald	(3)	43,831	39,448	35,203	31,129	28	23	263	219
26	Sedalia	20,688	Capital Democrat		*9,396	Not Reported	*9,396	Not Reported	1	1	86	86

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

28	Mexico	9,053	Ledger	(3)	2,588	2,358	-	-	8	6	75	66

3. Morning & Evening

15	Jefferson City	24,868	Capital News & Post Tribune		*12,829	Not Reported	*11,650	Not Reported	24	22	143	142
34	St. Joseph	75,711	Gazette & News Press	(1)	74,418	70,789	46,699	44,596	31	31	489	481

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

3. Morning and Evening

37	Springfield	61,238	News Leader & Press	(3)	55,084	44,528	49,057	39,510	32	32	406	390

M. Newspapers Receiving ASSOCIATED PRESS, INTERNATIONAL NEW SERVICE, NORTH AMERICAN NEWSPAPER ALLIANCE, CHICAGO DAILY NEWS and CHICAGO TRIBUNE

3. Morning and Evening

17	Kansas City	399,178	Star Times	(1)	436,649	523,667	354,751	862,751	365	363	1,585	1,585

N. Newspapers Receiving ASSOCIATED PRESS, NORTH AMERICAN NEWSPAPER ALLIANCE and NEW YORK TIMES

1. Morning

35	St. Louis	816,048	Globe-Democrat	(3)	246,368	151,396	272,959	180,219	935	891	1,488	1,463

O. Newspapers Receiving ASSOCIATED PRESS and CHICAGO DAILY NEWS

2. Evening

35	St. Louis	816,048	Post-Dispatch	(3)	263,082	207,515	338,954	269,812	935	891	1,488	1,463

P. Newspapers Receiving UNITED PRESS Only

2. Evening

8	Chillicothe	8,012	Constitution-Tribune		*4,773	Not Reported	-	-	4	4	160	153
10	Columbia	18,399	Missourian	(4)	3,478	3,185	-	-	41	41	196	177
11	Excelsior Springs	4,864	Standard		*3,959	Not Reported	*3,959	Not Reported	59	59	110	100
14	Independence	16,066	Examiner		*3,988	" "	-	-	365	1	1,585	-
18	Kirksville	10,080	Express & News		*4,958	" "	*4,958	Not Reported	22	22	85	85
21	Lexington	5,341	Advertiser-News		*3,761	" "	-	-	2	2	11	-
28	Neosho	[illegible]	[illegible]									

27	Hayti	4,393	Times		*2,304	Not Reported	-	-	-	-	22	8
29	Nevada	8,181	Mail & Post		*2,160	" "	-	-	1	-	-	-
30	Poplar-Bluff	11,164	American Republic		*3,100	" "	-	-	12	12	57	46
33	St. Charles	10,803	Banner-News		*2,027	" "	-	-	8	8	23	23
38	Trenton	7,016	Republican-Times		*2,617	" "	-	-	2	2	9	-

3. Morning & Evening

16	Joplin	37,442	Globe & News Herald	(3)	13,891	39,148	35,203	31,129	28	23	263	219
36	Sedalia	20,428	Capital Democrat		*9,396	Not Reported	*9,396	Not Reported	1	1	88	88

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

25	Mexico	9,053	Ledger	(3)	2,588	2,358	-	-	8	6	75	66

3. Morning & Evening

15	Jefferson City	28,228	Capital News & Post Tribune		*12,829	Not Reported	*11,650	Not Reported	24	22	143	142
34	St. Joseph	75,711	Gazette & News Press	(2)	74,438	70,789	46,699	44,556	31	31	189	181

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

3. Morning and Evening

37	Springfield	61,238	News Leader & Press	(3)	55,024	44,524	49,057	39,510	32	32	406	390

M. Newspapers Receiving ASSOCIATED PRESS, INTERNATIONAL NEW SERVICE, NORTH AMERICAN NEWSPAPER ALLIANCE, CHICAGO DAILY NEWS and CHICAGO TRIBUNE

3. Morning and Evening

17	Kansas City	399,178	Star Times	(1)	636,649	523,667	354,751	262,751	365	363	1,585	1,585

N. Newspapers Receiving ASSOCIATED PRESS, NORTH AMERICAN NEWSPAPER ALLIANCE and NEW YORK TIMES

1. Morning

35	St. Louis	816,048	Globe-Democrat	(3)	246,368	151,396	272,959	180,219	935	891	1,488	1,463

O. Newspapers Receiving ASSOCIATED PRESS and CHICAGO DAILY NEWS

2. Evening

35	St. Louis	816,048	Post-Dispatch	(3)	263,082	207,515	338,954	269,812	935	891	1,488	1,463

P. Newspapers Receiving UNITED PRESS Only

2. Evening

8	Chillicothe	8,012	Constitution-Tribune		*4,773	Not Reported	-	-	4	4	160	153
10	Columbia	18,399	Missourian	(4)	3,478	3,185	-	-	41	41	195	177
14	Excelsior Springs	4,864	Standard		*3,959	Not Reported	*3,959	Not Reported	59	59	110	100
24	Independence	16,066	Examiner		*5,988	" "	-	-	365	1	1,585	-
28	Kirksville	10,080	Express & News		*4,998	" "	*4,998	Not Reported	22	22	85	85
31	Lexington	5,341	Advertiser-News		*3,741	" "	-	-	2	2	13	-
32	Neosho	5,318	Democrat		*1,060	" "	-	-	2	2	20	7
36	Rolla	5,141	New Era		*2,800	" "	-	-	174	5	145	2
39	Warrensburg	5,068	Star-Journal		*2,146	" "	-	-	1	1	8	8

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

35	St. Louis	816,048	Star-Times	(3)	173,805	140,917	-	-	935	891	1,488	1,463

V. Newspapers with No Press Service Listed

2. Evening

1	Aurora	4,036	Advertiser		*800	Not Reported	-	-	1	1	32	17
4	Butler	2,998	Democrat		*	Not Reported	-	-	1	1	9	-
5	Cameron	3,615	News-Observer		*1,090	Not Reported	-	-	-	-	14	8
9	Clinton	6,041	Democrat		*800	" "	-	-	1	-	17	4
12	Independence	16,066	News		*	Not Reported	-	-	365	1	1,585	-
18	Lamar	2,992	Democrat		*1,395	Not Reported	-	-	-	-	6	-
19	Lamar		Republican		*	Not Reported	-	-	-	-	-	-
21	Rich Hill	1,994	Review		*841	Not Reported	-	-	1	-	9	6
23	St. Charles	10,803	Census-Monitor		*2,888	" "	-	-	8	-	57	23
26	Webb City	7,053	Sentinel		*1,800	" "	-	-	26	-	83	23
41	West Plains	4,028	Quill		*1,896	" "	-	-	1	-	41	4

1410

1736

OHIO

A. Newspapers Receiving ASSOCIATED PRESS Only

1. Morning

Item No.	Town	Population	Newspaper	Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
17	Columbus	306,087	Ohio State Journal	(1) 59,094	47,569	-	-	201	200	618	629
72	Toledo	282,349	Times	(3) 27,857	27,432	74,680	73,529	355	354	2,438	2,402

2. Evening

2	Alliance	22,405	Review	(1) 11,881	11,183	-	-	65	10	1,095	125
5	Athens	7,696	Messenger	(1) 14,338	9,787	14,891	10,155	5	5	-	-
38	Hamilton	50,592	Journal-News	(4) 16,795	16,158	-	-	142	106	884	705
44	Logan	6,177	Herald	*3,162	Not Reported	-	-	-	-	-	-
52	Massillon	26,644	Independent	(4) 10,400	10,002	-	-	65	11	1,095	94
55	Mt. Vernon	10,122	News	(2) 7,634	7,084	-	-	40	38	95	92
56	Newark	31,487	Advocate & Am. Tribune	(2) 15,460	14,571	-	-	25	22	174	147
77	Van Wert	9,227	Times-Bulletin	*5,241	Not Reported	-	-	322	305	642	598
79	Warren	42,837	Tribune Chronicle	(1) 20,155	19,762	-	-	22	19	16	14
80	Washington C.H.	9,402	Record Herald	*5,030	Not Reported	-	-	6	6	35	35
82	Wilmington	5,971	News-Journal	*4,499	" "	-	-	27	27	42	42

3. Morning and Evening

13	Chillicothe	20,129	News-Advertiser Gazette	(1) 12,773	11,943	11,341	10,532	30	30	69	69
69	Springfield	70,662	News Sun	(1) 34,902	32,884	26,704	25,870	67	67	714	699

5. Saturday

17	Columbus	306,087	Star	(1) 92,189	50,378	-	-	201	200	618	629

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

21	Dayton	210,718	News	(1) 70,365	65,589	68,891	62,553	300	300	2,034	1,992
34	Gallipolis	7,832	Tribune	*3,350	Not Reported	-	-	-	-	10	10
39	Ironton	15,851	Tribune	(3) 6,005	5,715	6,575	6,369	1	1	13	12
41	Lancaster	21,940	Eagle-Gazette	(4) 11,260	10,857	-	-	5	5	34	34
54	Middletown	31,220	Journal	(1) 12,328	11,864	12,401	11,800	142	23	884	127
66	Sandusky	24,874	Register-Star-News	(3) 15,918	14,280	-	-	82	76	532	460
70	Steubenville	37,651	Herald Star	(2) 25,009	22,139	-	-	5	5	37	32

3. Morning and Evening

21	Dayton	210,718	Journal Herald	(1) 83,612	78,996	65,065	60,071	300	300	2,034	1,992

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

1. Morning

14	Cincinnati	455,610	Enquirer	(1) 127,302	97,686	211,328	185,757	405	399	1,232	1,217
16	Cleveland	878,336	Plain Dealer	(1) 235,163	173,145	435,064	307,619	509	467	1,638	1,613
30	Findlay	20,228	Republican-Courier	(3) 15,159	11,472	-	-	31	30	42	40

2. Evening

11	Canton	106,401	Repository	(4) 50,220	48,486	52,669	50,507	65	42	1,095	876
27	East Liverpool	23,595	Review	(2) 13,469	12,878	-	-	31	1	55	12
42	Lima	44,711	News	(3) 25,253	24,539	26,592	25,761	343	252	1,521	1,290
46	Lorain	44,125	Journal-Times Herald	(3) 16,744	16,189	-	-	75	38	226	150
47	Mansfield	27,154	News-Journal	(1) 21,422	20,564	18,996	17,822	63	59	519	483
49	Marion	30,817	Star	(2) 16,849	16,192	-	-	70	67	642	614
62	Portsmouth	40,466	Times	(3) 19,322	18,036	-	-	41	41	68	68
65	Salem	12,301	News	(1) 4,975	4,731	-	-	31	27	53	38
72	Toledo	282,349	Blade	(3) 163,159	151,063	-	-	355	354	2,438	2,402

3. Morning and Evening

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[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	16,[illegible]	[illegible]	-	-	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
44	Logan	6,177	News		*3,162	Not Reported	-	-	-	-	-	-	
52	Massillon	26,644	Independent	(4)	10,400	10,002	-	-	65	11	1,095	94	
55	Mt. Vernon	10,122	News	(2)	7,634	7,084	-	-	40	38	95	92	
56	Newark	31,487	Advocate & Am. Tribune	(2)	15,460	14,571	-	-	25	22	174	147	
77	Van Wert	9,227	Times-Bulletin		*5,241	Not Reported	-	-	322	305	642	598	
79	Warren	42,837	Tribune Chronicle	(1)	20,155	19,762	-	-	22	19	45	44	
80	Washington C.H.	9,402	Record Herald		*5,090	Not Reported	-	-	6	6	35	35	
82	Wilmington	5,971	News-Journal		*4,495	" "	-	-	27	27	42	42	

3. Morning and Evening

13	Chillicothe	20,129	News-Advertiser Gazette	(1)	12,773	11,943	11,341	10,532	30	30	69	69
69	Springfield	70,662	News Sun	(1)	34,502	32,884	26,704	25,870	67	67	714	699

5. Saturday

17	Columbus	306,087	Star	(1)	92,189	50,378	-	-	201	200	648	629

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

21	Dayton	210,718	News	(1)	70,365	65,589	68,837	62,553	300	300	2,034	1,992
34	Gallipolis	7,632	Tribune		*3,350	Not Reported	-	-	-	-	10	10
39	Ironton	15,851	Tribune	(3)	6,005	5,715	6,575	6,369	1	1	13	12
41	Lancaster	21,940	Eagle-Gazette	(4)	11,260	10,857	-	-	5	5	34	34
54	Middletown	31,220	Journal	(1)	12,328	11,864	12,401	11,800	142	23	884	127
66	Sandusky	24,874	Register-Star-News	(3)	15,918	14,280	-	-	82	76	532	460
70	Steubenville	37,651	Herald Star	(2)	23,009	22,139	-	-	5	5	37	32

3. Morning and Evening

21	Dayton	210,718	Journal Herald	(1)	83,612	78,996	65,065	60,071	300	300	2,034	1,992

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

1. Morning

14	Cincinnati	455,610	Enquirer	(1)	127,302	97,686	211,328	183,757	405	399	1,232	1,217
16	Cleveland	878,336	Plain Dealer	(1)	235,163	173,145	435,064	307,619	509	467	1,638	1,613
30	Findlay	20,228	Republican-Courier	(3)	15,159	11,472	-	-	31	30	442	405

2. Evening

11	Canton	108,401	Repository	(4)	50,220	48,486	52,669	50,507	65	42	1,095	876
27	East Liverpool	23,555	Review	(2)	13,469	12,878	-	-	31	1	55	12
42	Lima	44,711	News	(3)	25,233	24,539	26,592	25,761	343	252	1,521	1,290
46	Lorain	44,125	Journal-Times Herald	(3)	16,744	16,189	-	-	75	38	226	150
47	Mansfield	37,154	News-Journal	(1)	21,422	20,564	18,996	17,822	63	59	519	483
49	Marion	30,817	Star	(2)	16,949	16,192	-	-	70	67	642	614
62	Portsmouth	40,466	Times	(3)	19,322	18,036	-	-	41	41	68	68
65	Salem	12,301	News	(1)	4,975	4,731	-	-	31	27	55	38
72	Toledo	282,349	Blade	(3)	163,159	151,063	-	-	355	354	2,438	2,402

3. Morning and Evening

86	Zanesville	37,500	Times-Recorder & Signal	(1)	28,391	25,996	-	-	33	32	116	112

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS, INTERNATIONAL NEWS SERVICE and CHICAGO DAILY NEWS

2. Evening

1	Akron	244,791	Beacon Journal	(1)	110,666	106,585	91,768	86,296	90	87	989	988
85	Youngstown	167,720	Vindicator	(4)	71,581	67,475	82,586	69,051	29	25	160	157

E. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

16	Cleveland	878,336	News	(1)	125,915	120,116	-	-	509	467	1,638	1,613
17	Columbus	306,087	Dispatch	(1)	151,469	127,455	145,500	113,697	201	200	648	629

L. Newspapers Receiving ASSOCIATED PRESS, INTERNATIONAL NEWS SERVICE and NORTH AMERICAN NEWSPAPER ALLIANCE

2. Evening

14	Cincinnati	455,610	Times Star	(1)	155,096	145,681	-	-	405	399	1,232	1,217

OHIO-cont'd

P. Newspapers Receiving UNITED PRESS Only

2. Evening

Town No.	Town	Population	Newspaper	Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
3	Ashland	12,463	Times-Gazette	(3) 6,927	6,360	-	-	42	22	125	101
4	Ashtabula	21,405	Star-Beacon	(1) 12,594	11,949	-	-	14	13	74	42
7	Bellevue	6,127	Gazette	•2,300 Not Reported		-	-	69	15	249	80
9	Bucyrus	9,727	Telegraph-Forum	(3) 5,653	5,039	-	-	107	38	251	79
10	Cambridge	15,044	Jeffersonian	(1) 12,121	10,847	-	-	12	12	35	35
12	Celina	4,841	Standard	•4,600 Not Reported		-	-	73	42	130	83
15	Circleville	7,982	Herald	•3,821 " "		-	-	1	1	15	15
16	Cleveland	878,336	Press	(1) 247,899	240,640	-	-	509	467	1,638	1,613
17	Columbus	306,087	Citizen	(1) 73,470	63,203	91,021	65,939	201	200	648	629
18	Conneaut	9,355	News-Herald	•4,394 Not Reported		-	-	14	1	74	20
19	Coshocton	11,509	Tribune	(2) 8,563	7,756	8,596	7,789	21	21	54	54
23	Delaware	8,944	Gazette	(2) 3,826	3,459	-	-	28	28	69	69
24	Delphos	5,716	Herald	•1,670 Not Reported		-	-	343	73	1,521	160
27	East Palestine	5,123	Leader	•1,725 " "		-	-	31	2	55	-
29	Elyria	25,120	Chronicle-Telegram	(3) 12,862	11,819	-	-	75	25	226	45
31	Fostoria	13,453	Review	(3) 3,162	2,954	-	-	88	54	469	198
32	Fremont	14,710	News-Messenger	(3) 10,069	9,478	-	-	70	59	205	152
33	Galion	8,685	Inquirer	•3,097 Not Reported		-	-	107	10	251	71
37	Greenville	7,716	Advocate	•8,111 " "		-	-	17	14	88	88
40	Hamton	7,593	Democrat	•2,797 " "		-	-	69	33	181	98
48	Marietta	14,543	Times	(1) 9,705	8,670	-	-	26	26	29	29
51	Marysville	4,037	Tribune	•3,225 Not Reported		-	-	1	1	-	-
58	Niles	16,273	Times	•3,944 " "		-	-	22	-	46	-
59	Norwalk	8,211	Reflector-Herald	•4,126		-	-	69	33	249	85
60	Painesville	12,295	Telegraph	(1) 8,549	8,221	-	-	20	12	28	23
61	Piqua	16,049	Call	•7,444 Not Reported		-	-	70	54	321	223
63	Ravenna	8,538	Record	(2) 7,776	7,359	-	-	24	-	65	26
71	Tiffin	16,102	Advertiser-Tribune	•6,211 Not Reported		-	-	88	31	459	256
73	Troy	9,697	News	•4,136 " "		-	-	70	15	321	76
78	Wapakoneta	5,225	News	•3,016 " "		-	-	74	35	271	124
84	Xenia	10,633	Gazette	•5,844 " "		-	-	26	18	138	56

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

50	Martins Ferry	14,729	Times and Leader	(1)	15,693	14,964	-	-	15	1	26	-

S. Newspapers Receiving UNITED PRESS and SCRIPPS-HOWARD NEWSPAPER ALLIANCE

2. Evening

14	Cincinnati	455,610	Post	(1)	153,364	134,299	-	-	405	399	1,232	1,217

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

2. Evenings

6	Bellefontaine	9,808	Examiner	(3)	6,390	6,104	-	-	43	43	112	73
8	Bowling Green	7,190	Sentinel-Tribune	(3)	4,475	4,052	-	-	46	35	191	119
20	Covington	1,945	Stillwater Valley News		•2,074	Not Reported	-	-	70	-	321	22
22	Defiance	9,744	Crescent-News		•4,669	" "	-	-	120	77	415	305
26	Dover	9,691	Reporter	(3)	7,143	6,285	-	-	18	7	58	29
31	Fostoria	13,463	Times		•3,148	Not Reported	-	-	88	54	459	198
40	Hamton	7,593	News & Republican		•3,321	" "	-	-	69	33	181	98
43	Lisbon	3,379	Journal		•1,618	" "	-	-	31	-	55	-
57	New Philadelphia	12,328	Times	(3)	9,008	8,255	-	-	18	6	58	18
64	St. Marys	5,532	Leader		•	Not Reported	-	-	74	34	271	97
67	Shelby	6,643	Globe		•2,450	Not Reported	-	-	63	4	519	15
68	Sidney	9,790	News		•7,752	" "	-	-	34	34	102	95
74	Uhrichsville	6,435	Chronicle		•3,540	" "	-	-	18	-	58	4
75	Upper Sandusky	3,907	Chief-Union		•4,347	" "	-	-	84	23	105	58
77	[illegible]	[illegible]	Citizen		•4,524	" "	-	-	27	27	82	70

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
17	Columbus	306,087	Citizen	(1)	73,470	63,203	91,021	65,939	201	200	648	629
18	Conneaut	9,355	News-Herald		*4,394	Not Reported	-	-	14	1	74	20
19	Coshocton	11,509	Tribune	(2)	8,563	7,756	8,596	7,769	21	21	54	54
23	Delaware	8,944	Gazette	(2)	3,826	3,459	-	-	28	28	69	69
24	Delphos	5,746	Herald		*1,670	Not Reported	-	-	343	73	1,521	160
27	East Palestine	5,123	Leader		*1,725	" "	-	-	31	2	55	-
29	Elyria	25,120	Chronicle-Telegram	(3)	12,862	11,819	-	-	75	25	226	45
31	Fostoria	13,453	Review	(3)	3,162	2,954	-	-	88	54	469	198
32	Fremont	14,710	News-Messenger	(3)	10,069	9,478	-	-	70	59	205	152
33	Galion	8,685	Inquirer		*3,097	Not Reported	-	-	107	10	251	71
37	Greenville	7,716	Advocate		*8,111	" "	-	-	17	14	88	88
40	Kenton	7,595	Democrat		*2,797	" "	-	-	69	33	181	98
48	Marietta	14,543	Times	(1)	9,705	6,670	-	-	26	26	29	29
51	Marysville	4,057	Tribune		*3,225	Not Reported	-	-	1	1	-	-
58	Niles	16,273	Times		*3,944	" "	-	-	22	-	46	-
59	Norwalk	8,211	Reflector-Herald		*4,126	" "	-	-	69	33	249	85
60	Painesville	12,235	Telegraph	(1)	8,549	8,221	-	-	20	12	28	23
61	Piqua	16,049	Call		*7,444	Not Reported	-	-	70	54	321	223
63	Ravenna	8,538	Record	(2)	7,776	7,359	-	-	24	-	65	26
71	Tiffin	16,102	Advertiser-Tribune		*6,211	Not Reported	-	-	88	31	459	256
73	Troy	9,697	News		*4,136	" "	-	-	70	15	321	76
78	Wapakoneta	5,225	News		*3,016	" "	-	-	74	35	271	124
84	Xenia	10,633	Gazette		*5,844	" "	-	-	26	18	138	56

Q. Newspapers Receiving UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

50	Martins Ferry	14,729	Times and Leader	(1)	15,893	14,964	-	-	15	1	26	-

S. Newspapers Receiving UNITED PRESS and SCRIPPS-HOWARD NEWSPAPER ALLIANCE

2. Evening

14	Cincinnati	455,610	Post	(1)	153,364	134,299	-	-	405	399	1,232	1,217

T. Newspapers Receiving INTERNATIONAL NEWS SERVICE Only

2. Evenings

6	Bellefontaine	9,808	Examiner	(3)	6,390	6,104	-	-	43	43	112	73
8	Bowling Green	7,190	Sentinel-Tribune	(3)	4,475	4,052	-	-	46	35	191	119
20	Covington	1,945	Stillwater Valley News		*2,074	Not Reported	-	-	70	-	321	22
22	Defiance	9,744	Crescent-News		*4,669	" "	-	-	120	77	415	305
26	Dover	9,691	Reporter	(3)	7,143	6,285	-	-	18	7	58	29
31	Fostoria	13,463	Times		*3,148	Not Reported	-	-	88	54	469	198
40	Kenton	7,595	News & Republican		*3,321	" "	-	-	69	33	181	98
43	Lisbon	3,379	Journal		*1,618	" "	-	-	31	4	55	-
57	New Philadelphia	12,328	Times	(3)	9,008	8,255	-	-	18	6	58	18
64	St. Marys	5,532	Leader		*	Not Reported	-	-	74	34	271	97
67	Shelby	6,643	Globe		*2,150	Not Reported	-	-	63	4	519	15
68	Sidney	9,790	News		*7,752	" "	-	-	34	34	102	95
74	Uhrichsville	6,435	Chronicle		*3,540	" "	-	-	18	-	58	4
75	Upper Sandusky	3,907	Chief-Union		*4,347	" "	-	-	24	23	105	58
76	Urbana	8,335	Citizen		*4,324	" "	-	-	27	27	82	70
83	Wooster	11,543	Record	(1)	11,257	10,557	-	-	19	13	90	76

U. Newspapers Receiving TRANSRADIO Only

2. Evening

66	Zanesville	37,500	News		*13,981	Not Reported	*14,116	Not Reported	33	32	116	112

V. Newspapers With No Press Service Listed

1. Morning

39	Ironton	15,851	News		*5,253	Not Reported	-	-	1	1	13	12
46	Manchester	2,163	Signal		*	Not Reported	-	-	2	-	-	-

2. Evening

25	Dennison	4,413	Paragraph		*	Not Reported	-	-	18	5	58	-
35	Geneva	4,171	Free Press		*2,174	Not Reported	-	-	14	-	74	12
36	Greenfield	4,228	Times		*3,185	" "	-	-	2	2	23	-
53	Mechanicsburg	1,653	Telegram		*2,730	" "	-	-	27	-	82	-
81	Wellston	5,537	Sentinel		*1,856	" "	-	-	1	-	13	5

1738

1112

A. Newspapers Receiving ASSOCIATED PRESS Only

1. Morning

Town No.	Town	Population	Newspapers	Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
3	Deadwood	4,100	Pioneer-Times	*1,380	Not Reported	*1,380	Not Reported	76	74	123	95

2. Evening

1	Aberdeen	17,015	American-News	(1)	14,181	11,989	13,812	11,594	38	36	171	127
4	Huron	10,843	Huronite	(1)	8,187	7,606	-	-	71	70	123	76
5	Lead	7,520	Call		*1,452	Not Reported	-	-	78	2	123	1
7	Mitchell	10,633	Republic	(1)	11,690	9,478	-	-	25	26	76	68
8	Pierre	4,322	Capital Journal		*1,950	Not Reported	-	-	21	21	56	56
9	Rapid City	13,844	Journal	(1)	12,524	12,000	-	-	71	70	165	141
10	Sioux Falls	40,832	Argus Leader	(1)	43,075	31,556	16,875	14,266	64	64	296	250
11	Watertown	10,617	Public Opinion	(1)	6,169	5,784	-	-	19	16	37	20
12	Yankton	6,798	Press & Dakotan		*4,596	Not Reported	-	-	28	28	99	90

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

6	Madison	5,018	Leader		*3,172	Not Reported	-	-	2	2	35	18

D. Newspapers Receiving UNITED PRESS Only

2. Evening

8	Pierre	4,322	Dakotan		*850	Not Reported	-	-	21	21	56	56

V. Newspapers With No Press Service Listed

1. Morning

2	Belle Fourche	2,496	Post		*	Not Reported	-	-	15	14	38	29

1739

1413

WISCONSIN

A. Newspapers Receiving ASSOCIATED PRESS Only

2. Evening

Town No.	Town	Population	Newspaper		Daily Total	Daily City & Retail Trading Zones	Sunday Total	Sunday City & Retail Trading Zones	Chicago Tribune Circulation Daily County	Daily City	Sunday County	Sunday City
1	Antigo	9,495	Journal		*5,250	Not Reported	-	-	181	165	398	359
2	Appleton	28,436	Post-Crescent	(1)	19,941	19,418	-	-	977	910	2,286	2,197
7	Chippewa Falls	10,368	Herald-Telegram	(1)	6,324	5,960	-	-	187	109	393	283
10	Fort Atkinson	6,153	Fort News		*1,910	Not Reported	-	-	590	210	919	296
12	Janesville	22,992	Gazette	(1)	15,540	15,187	-	-	2,850	1,010	6,218	2,146
14	LaCrosse	42,707	Tribune & Leader Press	(1)	19,605	19,074	19,199	18,664	795	735	2,357	2,050
16	Manitowoc	21,404	Herald-Times	(1)	11,559	11,144	-	-	754	571	1,695	1,304
17	Marinette	14,183	Eagle-Star	(3)	6,918	6,540	-	-	348	255	1,089	820
18	Marshfield	10,359	News-Herald	(1)	7,545	7,231	-	-	434	147	1,055	301
22	Monroe	6,182	Times		*3,387	Not Reported	-	-	510	276	628	325
27	Rhinelander	8,501	News		*2,906	" "	-	-	282	155	485	301
28	Shawano	5,565	Leader		*3,903	" "	-	-	243	101	267	139
30	Stevens Point	15,777	Journal		*6,740	" "	-	-	334	292	850	792
33	Two Rivers	10,302	Reporter		*3,243	" "	-	-	754	130	1,695	321
36	Wausau	27,268	Record-Herald	(1)	11,582	11,181	-	-	447	357	1,259	1,060
37	Wisconsin Rapids	11,416	Tribune		*6,863	Not Reported	-	-	434	221	1,055	603

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

11	Green Bay	46,235	Press-Gazette	(1)	26,551	24,401	-	-	1,197	1,132	2,950	2,835
13	Kenosha	48,765	News	(1)	14,212	13,637	-	-	2,359	2,155	4,775	4,259
24	Oshkosh	39,089	Northwestern	(1)	15,752	15,129	-	-	964	755	3,189	2,291
26	Racine	67,195	Journal-Times and Sunday Bulletin	(3)	21,935	21,192	Not Reported		2,324	1,946	5,335	4,779
29	Sheboygan	40,638	Press	(3)	20,879	19,826	-	-	930	740	2,285	2,093
32	Superior	35,136	Telegram	(4)	18,495	14,367	-	-	72	52	143	115

3. Morning & Evening

8	Eau Claire	20,715	Leader Telegram	(1)	17,183	16,010	10,818	9,750	373	348	942	904

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

9	Fond du Lac	27,209	Commonwealth Reporter	(1)	13,904	13,216	-	-	958	668	2,123	1,809

E. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and NEW YORK TIMES SERVICE

2. Evening

21	Milwaukee	587,472	Journal	(1)	269,038	222,016	304,515	206,063	9,841	9 800	9,666	9,633

F. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

1. Morning

21	Milwaukee	587,472	Sentinel	(1)	125,204	76,279	206,900	100,565	9,841	9,800	9,666	9,633

P. Newspapers Receiving UNITED PRESS Only

2. Evening

3	Ashland	11,101	Press		* Not Reported		-	-	155	115	254	151
4	Baraboo	6,415	News-Republic		*4,336	Not Reported	-	-	512	295	756	431
5	Beaver Dam	10,356	Citizen		*3,987	" "	-	-	246	122	491	295
6	Beloit	25,365	News	(3)	12,678	12,096	-	-	2,850	1,452	6,218	3,222
15	Madison	67,447	Capital Times	(2)	29,322	25,736	28,615	25,040	2,683	2,265	6,534	5,521
15	"	"	Wisconsin State Journal	(2)	25,419	22,818	25,197	22,596	"	"	"	"
20	Merrill	8,711	Herald		*4,437	Not Reported	-	-	158	83	287	162
23	Neenah	10,645	News & Times		*2,280	" "	-	-	241	210	480	421

1	Antigo	9,495	Journal		*5,150	Not Reported	-	-	181	165	398	399
2	Appleton	28,436	Post-Crescent	(1)	19,411	19,418	-	-	977	910	2,286	2,197
7	Chippewa Falls	10,368	Herald-Telegram	(1)	6,524	5,960	-	-	187	109	393	289
10	Fort Atkinson	6,153	Fort News		*1,930	Not Reported	-	-	590	210	919	296
12	Janesville	22,992	Gazette	(1)	15,540	15,187	-	-	2,850	1,010	6,218	2,146
14	LaCrosse	42,707	Tribune & Leader Press	(1)	19,603	19,074	19,199	18,664	795	735	2,157	2,050
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33	Two Rivers	10,302	Reporter		*3,243	" "	-	-	754	130	1,693	321
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37	Wisconsin Rapids	11,416	Tribune		*6,863	Not Reported	-	-	414	221	1,055	603

B. Newspapers Receiving ASSOCIATED PRESS and UNITED PRESS

2. Evening

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32	Superior	35,136	Telegram	(4)	18,495	14,367	-	-	72	52	143	115

3. Morning & Evening

8	Eau Claire	30,746	Leader Telegram	(1)	17,183	16,010	10,818	9,750	373	348	942	904

C. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and INTERNATIONAL NEWS SERVICE

2. Evening

9	Fond du Lac	27,209	Commonwealth Reporter	(1)	13,904	13,216	-	-	958	668	2,123	1,809

D. Newspapers Receiving ASSOCIATED PRESS, UNITED PRESS and NEW YORK TIMES SERVICE

2. Evening

21	Milwaukee	587,472	Journal	(1)	269,038	222,016	304,515	206,063	9,841	9,800	9,666	9,633

E. Newspapers Receiving ASSOCIATED PRESS and INTERNATIONAL NEWS SERVICE

1. Morning

21	Milwaukee	587,472	Sentinel	(1)	125,204	76,279	206,900	100,565	9,841	9,800	9,666	9,633

F. Newspapers Receiving UNITED PRESS Only

2. Evening

3	Ashland	11,101	Press		* Not Reported		-	-	155	115	254	151
4	Barabee	6,415	News-Republic		*4,336	Not Reported	-	-	512	295	756	431
5	Beaver Dam	10,356	Citizen		*3,987	" "	-	-	246	122	491	295
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15	Madison	67,447	Capital Times	(2)	29,322	25,736	28,615	25,040	2,683	2,265	6,534	5,521
15	"		Wisconsin State Journal	(2)	25,419	22,818	25,197	22,596	"	"	"	"
20	Merrill	8,711	Herald		*4,437	Not Reported	-	-	158	83	287	162
23	Neenah	10,645	News & Times		*2,260	" "	-	-	964	119	3,189	867
25	Portage	7,016	Register-Democrat		*1,850	" "	-	-	411	133	589	194
31	Stoughton	4,743	Courier-Hub		* Not Reported		-	-	2,683	102	6,534	225
34	Watertown	11,301	Times		*5,500	Not Reported	-	-	590	183	919	363
35	Waukesha	19,242	Freeman		*5,175	" "	-	-	771	430	1,160	662

V. Newspapers With No Press Service Listed

2. Evening

19	Menasha	10,481	Record		*2,047	Not Reported	-	-	964	46	3,189	-

1740-1741